

Missing out on childhood – the impact of natural disasters on Haitian children’s rights

Author: Andra-Iustina Covaciu

Abstract

Children's rights are human rights, regardless their vulnerability and dependence on adults. However, the situation of children's rights in Haiti has always been delicate and it became even more fragile in the aftermath of the 2010 Earthquake and the 2016 Hurricane Matthew. Within this paper, the sociology of disaster theory together with case study and legal analysis as methods aim at analysing the effects of the two natural disasters on Haitian children's rights. The paper also seeks to understand whether any differences could be noticed between the outcomes of the two catastrophes as well as to analyse the international and national institutional response to the aforementioned disasters. It is concluded that the two natural disasters had an enormous impact on the most important rights of Haitian children. Not many differences could be noticed, between the two events, and regardless the aid provided by the international community, Haitian children's rights are still neglected, as we speak.

Keywords: children's rights, natural disasters, vulnerability, state capacity, prevention, international & national legislation, causes and measures, institutional duties

Word count: 16,027

Table of contents

List of abbreviations and acronyms

Chapter 1: INTRODUCTION 1

- Chapter 1.1. Brief introduction of the topic 1
- Chapter 1.2. Research problem and aims 1
- Chapter 1.3. Research questions 2
- Chapter 1.4. Previous research 2
- Chapter 1.5. Theory, method and material – brief presentation 3
- Chapter 1.6. The study’s relevance for human rights 4
- Chapter 1.7. Paper’s delimitations and limitations 5
- Chapter 1.8. Chapter outline 5

Chapter 2: METHODS 6

- Chapter 2.1. Case study 6
- Chapter 2.2. Legal method 8
- Chapter 2.3. Methods’ limitations 9

Chapter 3: THEORETICAL FRAMEWORK 10

- Chapter 3.1. Sociology of disaster 10
- Chapter 3.2. Foucault’s discussion on *events* and *apparatus of security* 13

Chapter 4: MATERIAL 14

- Chapter 4.1. Primary Sources 15
- Chapter 4.2. Secondary Sources 16

Chapter 5: ANALYSIS 18

- Chapter 5.1. Natural disasters’ effects on Haitian children’s rights 18
 - Chapter 5.1.1. The right to education (article 28 of the CRC)..... 19*
 - Chapter 5.1.2. The right to an adequate standard of living (article 27 of the CRC)..... 20*
 - Chapter 5.1.3. The right to family life (article 9 & 20 of the CRC) 25*
 - Chapter 5.1.4. The right to safety (article 19, 32, 34 & 35 of the CRC, and article 2a & 3 of the Op. Prot.)..... 26*
- Chapter 5.2. National and international institutional response 28
 - Chapter 5.2.1. International and domestic legislation 28*
 - Chapter 5.2.2. Prevention – factors and measures 31*

Chapter 6: SUMMARY and CONCLUSION 37

- Chapter 6.1. Summary 37
- Chapter 6.2. Conclusion 38

List of references

List of abbreviations and acronyms

CARICOM	Caribbean Community
CCRIF	Caribbean Catastrophe Risk Insurance Facility Segregated Portfolio Company
CDEMA	Caribbean Disaster Emergency Management Agency
CRC	Convention on the Rights of the Child
EC	European Commission
ECLAC	United Nations Economic Commission for Latin America and the Caribbean
EU	European Union
HRW	Human Rights Watch
IACHR	Inter-American Commission on Human Rights
ICT	Information and Communications Technology
IDB	Inter-American Development Bank
ILO	International Labour Organisation
MINUSTAH	United Nations Stabilization Mission in Haiti
OHCHR	Office of the United Nations High Commissioner for Human Rights
Op. Prot.	Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
PDNA	Post-Disaster Needs Assessment
PTSD	Post-traumatic stress disorder
UN	United Nations
UNDAC	United Nations Disaster Assessment and Coordination

UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNICEF	United Nations International Children's Fund
USAID	United States Agency for International Development
WASH	Water, Sanitation and Hygiene

Chapter 1: INTRODUCTION

Chapter 1.1. Brief introduction of the topic

Haiti is one of the poorest countries in the world and one of the most impoverished in the Western hemisphere. Besides the lack of economic resources, it is also one of the most vulnerable countries when it comes to natural disasters, due to its geographic location. This aspect serves as the starting point of the present thesis, which focuses on the impact of natural disasters on Haitian children's rights.

During the 21st century, Haiti has been hit by several floods, torrential rains, hurricanes, storms, epidemics and earthquakes, but the 2010 Earthquake and the 2016 Hurricane Matthew have been assessed as the two most destructive catastrophes when considering human losses, infrastructural damage and incapacity of fulfilling human rights (Cecchini, Sunkel & Barrantes, 2017, p.3).

Even though all Haitian citizens have been affected by these catastrophes, I decided to focus only on children and their rights since, as Jonathan Todres (2011a) underlined, "the heightened vulnerability of Haiti's children across multiple dimensions highlights a fundamental aspect of human rights: rights are interrelated and interdependent" (p.74).

Furthermore, children's rights are at least as important as the ones adults have and children's dependence on grown-ups is even more visible when it comes to their freely and fully enjoyment of rights. As indicated by the United Nations Educational, Scientific and Cultural Organisation's (UNESCO) statistics, the rights of the Haitian children are far from being fulfilled and one of the main causes for this failure is country's vulnerability to natural disasters (UNESCO, n.d.). Four of the most problematic rights when it comes to Haitian children are the right to education, the right to an adequate standard of living, the right to family life and the right to safety (Humanium, n.d.).

Although Haiti ratified the Convention on the Rights of the Child (CRC) in 1995 (OHCHR, n.d.-b), the state is still struggling to fulfil the obligations stipulated in the convention, and this may be caused by, inter alia, the lack of resources, the international community's lack of response or state's inability to recover and reconstruct itself.

Chapter 1.2. Research problem and aims

The present paper aims to examine the way in which the 2010 Earthquake and the 2016 Hurricane Matthew impacted on granting and enjoying four of Haitian children's rights.

Based on this aim, the present thesis focuses on the national and international institutional response to these catastrophes in regard to the following children's rights: the right to education, the right to an adequate standard of living, the right to family life and the right to safety.

In addition, I intend to analyse whether any changes could be noticed in terms of the fulfilment of Haitian children's rights while comparing the two natural disasters. What I mean by changes is both the effects themselves as well as whether the institutional response to natural disasters in relation to children's rights was visible (in terms of reparation post- and preparation pre- disasters) or not.

Chapter 1.3. Research questions

The research questions I aim to answer by the means of the present paper are:

1. *How did natural disasters impact upon the enjoyment of children's rights in Haiti?*
and
2. *What was the institutional response (at both national and international level) to natural disasters when it came to Haitian children's rights?*

Chapter 1.4. Previous research

Scholars from different fields of study (e.g. sociology, psychology, medicine) manifested their interest in the present topic, trying to find answers to questions regarding Haitian children's rights in the aftermath of the 2010 Earthquake.

Some of these scholars were interested in understanding the importance of the international community when it comes to natural disasters, investigating international actors' legal obligations, as well as how much did they contribute to Haiti's recovery, post-quake (Todres, 2010; Todres, 2011a; Binford, 2011).

Other authors aimed either to discover what is the relationship between the needs of Haitian children and state's resources (Cénat & Derivois, 2015; Gupta & Agrawal, 2010; Sloand et.al., 2012; Nicholas et.al., 2012; Hutson, Trzcinski & Kolbe, 2014; Todres, 2011b), or to analyse the problem of child trafficking and slavery (Hoffman, 2011; Kushner, 2010). Last, but not least, a couple of scholars claimed that children play an essential role in developing disaster risk reduction and reconstruction strategies (Mitchell, Tanner & Haynes, 2009; Peek, 2008).

Even though many scholars were interested in the problem of Haitian children's rights post-quake, most of the research up to date ignored to assess whether there were any

differences between the situation in Haiti after the 2010 Earthquake and the 2016 Hurricane Matthew. Since the hurricane is a fairly recent event in Haiti's history, not much research has been conducted on the topic. Moreover, as mentioned above, most of the scholarly articles I reviewed were focusing on the international community's responsibility, rather than on Haiti's obligations. The scholars argued that Haiti is lacking the necessary resources for recovering from catastrophes and for granting rights to its citizens, so it is international actors' responsibility to help them in the reconstruction process.

My study intends to include the responsibilities Haiti has in recovering from disasters, protecting its children's rights, and developing preparation strategies. In addition, I want to insert, within my analysis, an overview of the 2016 Hurricane Matthew's effects on children's rights as well as to understand whether the situation changed during the six-year span between the two natural disasters.

Chapter 1.5. Theory, method and material – brief presentation

The theoretical approach of the present thesis is based on sociology of disaster. This refers to “the social scientific study of the social structure adjustment preceding and following the precipitating event or disaster agent” (Fischer, 2003, p.95). This combines two of the thesis's main aspects – disasters and society, while also emphasizing the vulnerabilities that appear in a pre- and post-disaster society.

When it comes to the methods used for this paper, I decided that case study and legal analysis, together with the sociological approach to law are the most relevant and appropriate for reaching the paper's aims. I chose the case study method in order to get a more in-depth understanding of the situation in Haiti as well as to find out whether the situation changed from the earthquake to the hurricane. Since it is impossible at this level of study to analyse the situation of every vulnerable state, “the case study has been seen as one answer to this question, offering a vantage point from which to draw broader conclusions about societal trends and developments” (May, 2011, p. 221).

In addition, I decided to use the legal analysis and the sociological approach to law for understanding whether Haiti complied with the regulations stipulated in the international legal instruments that the state ratified or if the government decided to adapt the international legislation to the national rules. Furthermore, I aim to understand how regulations regarding children's rights were applied into the Haitian law and whether they helped the society to function better or not, in the aftermath of the disasters.

The theoretical approach and the methods I am using for my research seem to

function well together, both aiming to find out how the laws function within the Haitian society and whether the international and domestic institutional response helped the state to pursue in granting rights to its children.

Regarding the material I aim to use for the present thesis, answering to the first research question requires documents on the fulfilment of children's rights in Haiti, such as the Inter-American Commission on Human Rights (IACHR) thematical report on the subject, the Post-Disaster Needs Assessments (PDNAs) showing what was the impact of the two natural disasters on the Haitian population, as well as scholarly articles on the topic. On the other hand, for the second research question, the two PDNAs, reports from international and regional organisations as well as international and national legislation will be used for understanding what was the institutional response to the two catastrophes. Moreover, news articles from different organisations will be useful for acknowledging the institutional response as well as the actual situation in the country.

Chapter 1.6. The study's relevance for human rights

According to the Office of the United Nations High Commissioner for Human Rights' (OHCHR) definition, human rights are "rights inherent to all human beings, whatever [their] nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status" (n.d.-a). Therefore, the problematization of children's rights should be seen as a part of the complex spectrum of human rights since children are defined as "young human beings below the age of puberty or below the legal age of majority" (English Oxford Living Dictionaries, n.d.- a).

As shown above, children's rights are highly neglected in Haiti which means that this represents a problem that must be studied within the field of human rights in order to understand its causes, manifestation and eventually, find solutions to address it.

When it comes to the relation between my research problem and the field of human rights, it is acknowledged that children are a vulnerable category of rights-holders that depends on adults. Although children are internationally recognized as entitled to the enjoyment of rights, their fulfilment is still neglected in cases of emergency, poverty, war and/or other similar situations.

Focusing only on Haitian children rather than on all the population affected by the natural disasters, allows for posing legal questions regarding the international and national legislation protecting children's rights as well as for a better understanding of the effects catastrophes have on child development and well-being.

Chapter 1.7. Paper's delimitations and limitations

I decided to have children at the core of my thesis since if “one considers that nearly half (46%) of Haiti's population is comprised of children, one realizes that Haiti's earthquake created an unprecedented “children's emergency” (Binford, 2011, p.12). Even though, as mentioned above, all Haitian citizens have been affected by natural disasters, children represent a vulnerable category of rights-holders that is rarely taken into consideration in developing disaster risk reduction and reconstruction strategies or when a state must decide whose rights to prioritize.

Thus, my thesis focuses on Haitian children and the impact natural disasters had on their enjoyment of rights. Furthermore, I am not considering any other country than Haiti (as in a comparative study), even though there may be countries that were more affected by natural disasters, than the country in question. However, I intend to draw conclusions that may be applicable to other countries that were or will be facing similar situations since they will be provided with an example of good or bad practice in order to know how to act considering the outcomes of Haiti's actions.

Last but not least, when it comes to the ethical aspect of the present paper, since none of my research methods implies direct contact with children or other people involved in the process of granting rights to Haitian children, I do not have to worry about issues like consent, privacy, anonymity or vulnerability. The main ethical aspect within my research project will be beneficence. This implies that while researching, my intention is not to place responsibility on Haiti or the international community for their lack of action, but “to do effective and significant research so as to better serve and promote the welfare” (Beauchamp & Childress cited in Fouka & Mantzorou, 2011, p.5) of Haiti and other states facing similar situations. In the present case, this refers to obtaining results that may help Haiti and other vulnerable countries to understand what caused the infringement on children's rights in the post-disaster Haiti and what are the possible solutions for addressing this situation.

Chapter 1.8. Chapter outline

While Chapter 1 focused mainly on introducing the thesis' s topic, research problem, aim and delimitations, as well as the methods, theories and materials used in the paper, the next chapters will analyse each of these issues in-depth, aiming to lead to the thesis' s conclusions and present answers to the research questions. The present paper proceeds with Chapter 2 where the methods used as well as their limitations and relevance for the analysis are

presented. In Chapter 3, the theoretical framework of the paper is outlined, together with a short overview of the previous research on the topic and an introduction to Foucault's discussion on *events*. Both the primary and secondary sources of material used are presented in Chapter 4, while Chapter 5 consists of the analysis itself as well as its results. Last but not least, the summary of the paper and its final conclusions are presented in Chapter 6.

Chapter 2: METHODS

Chapter 2.1. Case study

Case studies are seen as “tools to better understanding the social world” (May, 2011, p.219) because of the in-depth analysis one has to conduct when choosing this method. The representativeness issue is very important when it comes to the method in question, since, as in the present situation, “a case [should] be chosen because its analysis will reveal conclusions that can be taken as representative of a wider class of cases” (ibid., p.228). The choice of cases is very important since this aspect determines the level of the results' generalizability.

In the selection of cases, one must decide whether to conduct a random or an information-oriented selection. I decided to choose the second category and to focus on a *critical case*, understood by Bent Flyvbjerg (2011) as a case that is providing” the possibility to formulate a type of generalization that is characteristic of critical cases” (p. 307). This means that the findings related to a *critical case* are to be considered valid for all the other similar cases (ibid.). The case chosen for the present paper is Haiti, a case of natural disasters' impact on children's rights.

All things considered, Haiti represents a critical case since it is a vulnerable country whose situation may resemble the one in other countries that were, are or will be facing natural disasters. Furthermore, Haiti is a state that is lacking the necessary economic resources for protection, reconstruction and resilience.

Different scholars conducted researches on similar cases such as the 2001 El Salvador Earthquake and the 2006 Guinsaugon landslide in the Philippines (Mitchell et.al., 2009), “the earthquakes of 2005 in Pakistan..., [the] Indian Ocean Tsunami of 2004 (India and Sri Lanka), and the floods of 2004 in *Tarai* Nepal” (Nikku, 2012, p.56). They were also interested in the status of children's rights during and after natural catastrophes as well as the effects disasters had on children's well-being and development.

However, they were more interested in the role children play in developing disaster risk reduction strategies (Mitchell et.al, 2009, p.1) or in the needs children have

before and after the natural disasters (Nikku, 2012) rather than on aspects such as institutional response, state capacity, vulnerability and duties, as it was in the case of the scholars who were discussing the situation in Haiti. These studies were enhanced by regional and desk research in Nepal, India, Pakistan and Sri Lanka as well as interviews, questionnaires and legal analysis (Nikku, 2012) or by field research in El Salvador and Philippines, as well as “risk mapping and ranking, visioning exercises, transect walks, stakeholder and influence mapping and theatre” (Mitchell et.al., 2009,p.26).

Haiti, as a case, also fulfils the requirement according to which “a most likely case for one proposition is the least likely for its negation” (Flyvbjerg, 2011, p.308). This statement implies that since Haiti is considered to be a representative case for proving that natural disasters have powerful impacts on children’s rights in vulnerable countries, the same state will unlikely be used in order to demonstrate the opposite.

The decision of focusing only on one state rather than two or more was based on the fact that I would instead get a comprehensive understanding of the situation in Haiti and apply the findings of this case to countries facing similar situations than to focus on more countries and eventually draw different conclusions.

Furthermore, a case study is seen as “an empirical enquiry that investigates a contemporary phenomenon within its real-life context, especially when the boundaries between phenomena and context are not clearly evident” (Yin, cited in May, 2011, p.223). Based on this statement and since it was impossible to conduct a field study in Haiti, the present method seemed to be the most appropriate for reaching the thesis’s aim and finding answers to the research questions mentioned in Chapter 1.3.

As mentioned above, the case I am analysing in the present thesis refers to the situation in Haiti after the 2010 Earthquake and the 2016 Hurricane Matthew as well as in the period between the two natural disasters. I consider this case to be “reasonably representative of the larger *phenomenon* [I am] investigating” (Luker, 2008, p.103)

When it comes to the material necessary for the present method, secondary sources such as scholarly articles from different fields, such as psychology, sociology, medicine or law are used for understanding the situation in Haiti. This aspect is further discussed in Chapter 4 (a more detailed description of the material used) and Chapter 5 (the analysis).

Chapter 2.2. Legal method

There are different methods to be used in a legal analysis but the one I decided to focus on, in the present paper, is the so-called IRAC method. It can be found under other names, such as ILAC or CLEO but regardless its name, it implies the same approach to the material.

This method consists of the following four steps:

Issue – identify the issue;

Rule – state the rule/law;

Analysis – discuss the law in respect to the facts, and

Conclusion – provide your conclusion (“Will”, 2017).

Since one of the present paper’s aims is to understand whether international law is implemented in the Haitian legislation as well as whether it provides the necessary assistance for granting rights to Haitian children, this method seems to be the best choice.

First of all, the issue I am interested in is Haitian children’s rights, namely the fulfilment and granting of these rights in the aftermath of natural disasters. Moving to the second step, I aim to find out whether Haitian children’s rights to education, to an adequate standard of living (namely the right to food, water and health), to family life (focusing on *restavèks*, orphans and at-risk children) and to safety, are respected by the state and by the international community. Based on the method’s third step, I will try to understand how different pieces of international legislation, such as the CRC and International Labour Organisation’s (ILO) conventions are applied into the society (through the means of sociology of law) as well as implemented into the Haitian legislation.

For being able to provide answers to the research questions of the present paper, I have to understand whether the way Haiti interpreted the international legal regulations regarding children’s rights corresponded to the understanding of the international community.

Last but not least, I am using sociology of law in order to understand the way law functions within the Haitian society. This approach refers to: “the sociological study of law and law-related phenomena, whereby law is typically conceived as the whole of legal norms in society as well as the practices and institutions that are associated with those norms” (Deflem, 2015).

Those scholars discussing sociology of law focused on different approaches to the problem, either by including the opinions of thinkers like Max Weber and Karl Marx or by focusing on its feministic aspect. The approach to sociology of law relevant for the present paper is the relationship between the rights comprised in legislation and the rights into

practice, which means “the interaction between the legal and social factors” (Banakar, 2000, p.273). As Banakar (2000) noticed, “sociology can...provide law with systematic empirical knowledge of the limits of institutional action, while learning from the law about society, and its own paradigmatic limitations” (p.284)

Thus, sociology of law will allow me to look upon the national and international institutional response to natural disasters, as well as the way international and national actors fulfilled their obligations in regard to children’s rights. In addition, it will help in understanding how the Haitian government implemented international laws into the society.

Chapter 2.3. Methods’ limitations

It is acknowledged that every method has its limitations, either when it comes to the sampling process, the economic resources or the difficulties that may appear while interpreting the study’s findings.

As for the critique against case study, one may bring up the fact that “since individuals may attach different meanings to events or act differently at one time from another” (May, 2011, p.221), the outcomes of a research based on this method might be biased and may not allow for generalization. Furthermore, one may say that case study “is hardly a methodology in its own right, but [that it] is best seen as subordinate to investigations of larger samples” (Flyvbjerg, 2011, p. 301).

Another limitation of the case study method is that the sampling may either be considered too random or too specific so that the findings that were relevant for that particular case may hardly be applied to any other case, regardless the similarity that may exist between the two. Last but not least, since I decided to focus only on Haiti within the present paper, one may consider that the choice of a single case is limiting the results of the analysis and raises questions of “methodological rigour, researcher subjectivity, and external validity” (Willis, 2014).

Furthermore, both the legal method and the sociological approach to law have weaknesses. For the present case, one may argue that the legal instruments ratified by Haiti may differ from those ratified by other countries facing similar situations which means that, as for the case study, a generalization of the findings may not be possible.

In addition, one may claim that countries are allowed to interpret laws based on their own understanding, culture and beliefs (state sovereignty), which means that Haiti’s implementation of international legal regulations into practice should not be criticised. Strongly related to this, an issue of free choice may be raised by critics with the aim of

avoiding possible questions regarding Haiti's decisions on the incorporation of international laws into the national legal instruments. But one must consider the 1969 Vienna Convention on the Law of the Treaties when invoking state sovereignty for justifying state's lack of action and implementation of international laws into practice. This convention requires a state to "perform [the ratified treaties] in good faith" and refrain from invoking "the provisions of internal law as justification for its failure to perform a treaty" (UN, 1969, art.26 & 27). This aspect will be further discussed in Chapter 5.2.1.

As for sociology of law, critics may claim that since this is a contemporary discipline developed by great thinkers of the 20th century such as Max Weber and Émile Durkheim, there is a high need for "a formalisation of definitions, values and limitations of the discipline" (LawTeacher, 2013) before it can be used in research.

Chapter 3: THEORETICAL FRAMEWORK

Chapter 3.1. Sociology of disaster

"Questions of theory in disaster studies are important not only for this specialized subfield but also for sociology as a whole" (Stallings, 2002, p. 282). Based on this statement, the theoretical approach I want to take, in the present paper, is sociology of disaster. This theory implies, as mentioned in Chapter 1, the scientific study of the society in the aftermath of a disaster. It does not necessarily imply only natural disasters but also human-inflicted catastrophes. The present paper will focus only on the disasters caused by natural phenomena.

For understanding what sociology of disaster means, the definition of *disaster* should be put forward, together with the classification of disasters that may derive from it. The Merriam-Webster dictionary defines *disaster* as being "a sudden calamitous event bringing great damage, loss, or destruction" (n.d.-a). When it come to this theory, there are six types of natural disasters that are traditionally identified: "earthquakes, floods, hurricanes, tornadoes, volcanoes and tsunamis" (Fischer, 1998, p.5).

In addition, it is important to understand what sociology means and why is the sociological aspect taken into consideration when it comes to the analysis part of this thesis. According to the Merriam-Webster dictionary, *sociology* implies "the systematic study of the development, structure, interaction, and collective behaviour of organized groups of human beings" (n.d.-b). I consider relevant to examine how the Haitian society reacted to natural disasters and how catastrophes impacted on Haitian children and their development.

The study of natural disasters under the name of *sociology of disaster* is a relatively new area of inquiry which appeared as a necessity of improving “our understanding of these calamitous events in order to minimize what we see as their undesirable consequences” (Stallings, 2002, p.283).

I decided to use this theoretical approach in order to find an answer to my first research question which aims to investigate what was the impact of the two natural disasters on Haitian children’s rights. By the means of sociology of disaster, I aim to distinguish between the different types of effects disasters have on children’s rights, regardless if they imply physical impacts or if they happen at an institutional level.

Physical impacts can refer to human resources (teachers losing their lives so even if schools exist there are not enough teachers for the number of pupils enrolled), infrastructure (e.g. water supply, roads, energy), housing (since Haitians’ houses are of poor standard and quality, they do not resist natural disasters), education (schools destroyed or used as shelters). On the other hand, natural disasters impacted also upon institutions since the Government’s buildings were destroyed so that “the day-to-day operation of the government was effectively halted for a time” (Ferguson et.al., 2018). Therefore, institutions became unable to coordinate themselves, either because of the lack of spaces where to conduct their operations, the lack of preparation in the face of a natural disaster or the high level of corruption in the country. In the *Transparency International’s Corruption Perception Index for 2013*, Haiti has been ranked as the most corrupt country in the Americas and as the 12th most corrupt country in the world (Transparency International, 2013, p. 5-7).

There are other types of effects as well, mostly when it comes to children and their development. Within specialized literature, scholars tried to understand what are the short- and long- term outcomes of catastrophes on children, as well as how these impact upon their growth. Jude Mary Cénat and Daniel Derivois (2015) discussed, from a psychological perspective, “the prevalence and predictive factors of PTSD and depression in relation with peritraumatic distress, trauma exposure, and sociodemographic characteristics among children and adolescent who survived the 2010 Haiti’s earthquake” (p.57). Furthermore, Jhumka Gupta and Alpna Agrawal (2010) evaluated, from a medical perspective, the “chronic aftershocks of an earthquake on the well-being of children in Haiti” (p. 1997).

Closely related to the medical effects natural disasters had on Haitian children, a study based on nurses’ experiences with children facing a disaster, was conducted. This research was based on the experiences of ten nurse volunteers that took care of Haitian children after the 2010 Earthquake. When it comes to the study’s results, the authors noticed

how hard it was for these nurses to take care of the child survivors. They were able to get an understanding of their difficulties through the interviews, in which “four themes emerged...: devastation was expected, but rare glimmers of hope, professional compromises and unsettling results, universality of children and emotional impact on nurses” (Sloand et. al., 2012, p. 244).

On the same topic, other scholars discussed the physical impacts of natural disasters upon the enjoyment of rights for Haitian children. Todres (2010) defined these catastrophes and their outcomes as “major obstacles to children realizing their economic and social rights” (p.123), focusing on the rights to education and health.

Another recurrent discussion when it comes to the effects of natural disasters on children’s rights regards the relation between HIV/AIDS, orphans and at-risk children. Some of the scholars underlined that the shelters created in the post-disaster Haiti allowed for rape and abuses which placed girls at risk of getting infected with the HIV virus (Gupta & Agrawal, 2010, p. 1998). Furthermore, other scholarly articles tried to draw institutions’ attention to the needs of orphans and at-risk children in the aftermath of disasters, claiming that they are vulnerable to “exploitation, abuse and increased risk of HIV/AIDS” (Nicholas et.al., 2012, p.182) due to the high numbers of women engaged in prostitution (mother-to-child transmission) and sexual violence towards women and children.

Last but not least, a concept involving a very complex discussion is *restavèk*. This refers to “a child who is sent or sold by [his/her] parents to work for a host household as a domestic servant because the parents lack the resources required to support the child” (HSKI, n.d.). The discussion on *restavèk*s implies further consideration for the issues of abuse, trafficking and slavery. While *restavèk* is a specific concept used only in Haiti, the problem of child slavery and labour is recurrent in many other countries around the world, with “152 million [children in labour]...of which 73 million... in hazardous work”, according to an estimation from ILO (ILO, 2017, p.5). When it comes to the data collected by the United Nations Children’s Emergency Fund (UNICEF) on child labour, the following countries could be identified, in 2017, as problematic, with more than 50 % of their children involved in working activities: Benin, Chad, Guinea-Bissau, Mali, with West and Central African countries being highly representative of this practice (UNICEF, 2017b).

The discussion on children’s vulnerabilities in the aftermath of catastrophes is very relevant for the present study since sociology of disaster is meant to provide additional support in understanding the outcomes of these catastrophes in order to draw conclusions that may help other countries facing similar situations. *Vulnerability* re-emerged in many of the

articles I reviewed when discussing children and the effects of natural disasters. This topic will be further discussed in Chapter 5.1.

Chapter 3.2. Foucault's discussion on *events* and *apparatus of security*

Sociology of disaster represents an analysis of different social factors. For a discussion on events (disasters) as social factors, one of Michel Foucault's lectures included in the book *Security, Territory, Population* is to be considered. He did not discuss the problem of disasters as such, but he introduced the concept of *apparatus of security* in the context of its relation to discipline, focusing on the idea of *event* and food scarcity.

His discussion is relevant for the second research question regarding institutional response in so far as it describes the power and responsibilities of governments and other institutions (that he called "sovereign") when it comes to the people they rule over.

For Foucault (2007), *security* refers to "a matter of maximizing the positive elements, for which one provides the best possible circulation, and of minimizing what is risky and inconvenient" (p.19). The idea of minimizing the risks is what I am interested in when it comes to institutional response and the obligations national and international actors have upon the post-disaster Haiti, since natural disasters are impossible to prevent. For Foucault (ibid.), "the specific space of security refers to a series of possible events; it refers to the temporal and the uncertain, which have to be inserted within a given space" (p.20).

In addition, Foucault made a comparison between the method of governing events proposed by Machiavelli and the approach of Physiocrats towards "event management [which] is best achieved by letting events happen, *laissez passer*" (Folkers, 2014, p.90). He started this discussion in order to show that it is not only the event itself that matters, but everything around it – factors, outcomes, measures. According to Foucault (2007), "by establishing a series of connections with other elements of reality, the phenomenon is gradually compensated for, checked, finally limited, and in the final degree, cancelled out, without it being prevented or losing any of its reality" (p.37). This relates directly to the discussion I want to have on preparation, implying that Haiti must consider the reasons why disasters happen and take appropriate and relevant measures for minimizing their outcomes.

Foucault presented the *event of grain*, starting from the idea of scarcity. The way he understood it made me compare scarcity with disasters and try to analyse the 2010 Earthquake and the 2016 Hurricane Matthew in the same way Foucault did with scarcity. As in the case of food shortage, natural disasters are "misfortune in the pure state" (Foucault, 2007, p.31) because their "most immediate, most apparent factor is... everything outside of

one's control" (Foucault, 2007, p.31). Moreover, he tried to understand the process behind such an event, a very important element in my analysis. For doing this, Foucault made a reference to the approach taken by Physiocrats in analysing an event. For him, this represented a main change in the analysis of a very simple and common activity – *grain trade*. The Physiocrats considered that one needs to unpack the causes of an event as well as its nature, to be able to understand and analyse these events (Foucault, 2007). In my case, I need to understand the nature of the disaster, its factors and causes as well as acknowledge the impossibility of preventing it.

An aspect that is very relevant for sociology of disaster, in the discussion on events, is represented by the social factors causing an event to happen, which are hardly noticeable in the aftermath of an event. According to Foucault (2007), for one to analyse the event of grain, he/she must consider it in relation to everything around it, starting from "the relationship of government to the event" (p.30). This also applies to disasters, since, as mentioned in the Introduction, I want to understand what where the political and social measures taken by both international and national institutions when it came to the two natural disasters in Haiti. Furthermore, the obligations of the state in relation to these events and its measures for preparation and prevention are very relevant for the present discussion. Moreover, when it comes to the measures taken by institutions in preventing a disaster, it is important to consider if the solutions proposed are addressing disasters' causes.

In Foucault's lecture, the aspect of prevention is discussed in relation to "a possible event, an event that could take place, and which [the state] tries to prevent before it becomes reality" (ibid., p.33). I aim to go deeper into this discussion in Chapter 5.2.2., where the measures implemented by Haiti and the international community for addressing the causes of the catastrophes and preparing for other similar events, will be analysed.

Chapter 4: MATERIAL

Both primary and secondary sources of material are used for the present research. Even though primary data should be collected by the researcher himself, I did not conduct a field study, so the analysis in the present paper is built on data obtained from official documents such as PDNAs which comprise statistics, indicators and diagrams regarding the situation in Haiti pre - and post – disasters. Furthermore, international pieces of legislation such as the CRC, different ILO conventions as well as Haitian legislation are used, together with a thematic report from the IACHR, since Haiti is a member of this commission from its emergence (OAS, n.d.). In addition, information from three United Nations' (UN) Reports

regarding United Nations Stabilization Mission in Haiti (MINUSTAH) is extracted, in order to get an understanding of the international institutional response to the post-disaster Haiti.

When it comes to the secondary sources, scholarly articles from different fields, such as child development, law and health care, analysing the situation in Haiti, are used for understanding the impact of natural disasters on different aspects of children's rights. Moreover, for a broader perspective on Haitian children's rights post-disaster, news articles published by international organisations, such as the World Bank and UNICEF are reviewed.

The validity of the material refers to "its relevance and appropriateness to [the] research question and the directness and strength of its association with the concepts under scrutiny" (Pierce, 2008, p. 83). In the present case, the material chosen is relevant for the research questions since the secondary sources are used for sketching the situation of Haiti for the case study research, while the primary ones contribute to understanding the background situation in the country, the legal perspective upon it and the damages created by the two natural disasters.

The material has been collected through the website of Malmö University's Library, Google Scholar and other online sources, as well as books and documents in paper-form.

Chapter 4.1. Primary Sources

The main primary sources used in the present paper are two PDNAs regarding the main natural disasters that took place in Haiti under the 21st century – the 2010 Earthquake and the 2016 Hurricane Matthew. Both of them comprise assessments of the damages caused by the disasters, the needs that emerged in the aftermath of the catastrophes as well as the losses and the impacts these disasters had on the country. These PDNAs were prepared by the Haitian Government, in collaboration with the UN, the European Union (EU), the Inter-American Development Bank (IDB), the Economic Commission for Latin American and the Caribbean (ECLAC), the European Commission (EC) and the World Bank. They were created for laying "the foundations for a fresh start in the country's development efforts, as well as to reconstruct the damaged areas and contribute to a long-term national strategic development plan, in order to begin rebuilding Haiti" (PDNA, 2010, p. 1).

By the means of diagrams, pie charts, summaries and statistics, the Haitian Government aimed to present the extent of the disasters, the vulnerability of the country, the impacts of the catastrophes and the needs of the Haitian population, as well as state's strategies for recovery and reconstruction. Many sections of the PDNAs are relevant for the

present paper since they focus on issues like “health, education, food security and nutrition, drinking water, sanitation and hygiene” (PDNA, 2010, p. 4) as well as “human and social impact”¹ (PDNA, 2017, p. iv).

Moving to the legal material, for the international legislation, I am focusing on the CRC and its Op. Prot., as well as on some ILO conventions that are applicable to children, such as the Minimum Age Convention. As for the Haitian legislation, I will look into the Constitution of 1987 as well as the country’s Labour and Criminal Codes. Even though Haiti has no legal document that applies particularly to children, the country developed a juvenile jurisdiction system which comprises of “Tribunals for Children (*Tribunaux pour Enfants*), Criminal Courts for Children (*Cours d’Assises des Mineurs*) and Special Hearings of the Simple Police Tribunal (*Tribunal de Simple Police siégeant en audience spéciale*)” (Vité, 2002, p.13).

In addition, for understanding the aspect of international response to the natural disasters taking place in Haiti, reports from the UN Secretary-General are used. The UN established a stabilization mission in Haiti in 2004 which lasted until 2017 (United Nations Peacekeeping, n.d) and I am interested in analysing three of the reports submitted by the Secretary-General in regard to this mission. The reports analysed in the present paper are: a 2010 report which provides an understanding of the changes that occurred after the 2010 Earthquake, one from 2013, which refers to the time span between the two aforementioned natural disasters and one from March 2017, which is one of the final reports submitted for this mission (Security Council Report, n.d.).

Since Haiti is a member of the IACHR, I am also including, within my research, information extracted from the thematic report on the fulfilment of children’s rights from 2017. This is called “Towards the Effective Fulfilment of Children’s Rights: National Protection Systems” and it seems to fit within my area of interest regarding national response.

Chapter 4.2. Secondary Sources

The starting-point when it comes to the secondary sources used for the present research are scholarly articles written by specialists in fields like medicine, psychology, and sociology. The articles I am focusing on are related to Haiti and the situation in the country post-quake. Some of these articles were also analysing the differences between the pre- and post-earthquake Haiti, an aspect which is very interesting for the present paper.

¹ fr. “impact humain et social”

All of these articles had, as their starting-point, the problem of children's rights in the aftermath of natural disasters. The authors tried to understand what the outcomes of natural disasters were when it came to children, whether children's needs were included in the developing process of disaster risk reduction strategies as well as how vulnerable children were, while faced with a natural disaster.

Some of the empirical material used within the analysis is extracted from researches conducted by specialists in different fields through interviews, legal analyses or in-depth case studies. The interviews were conducted in the pre- and post-quake Haiti on the same people, in order to see if there are visible differences when it comes to their rights – some of the authors “re-interviewed 93.1% (N=1732) of the original 1,800 households interviewed in 2009” (Hutson et. al., 2014, p.1). The interview questions regarded the outcomes of the quake and the scholars analysed them in relation to the results of the survey conducted before the earthquake. The same approach was taken by another couple of scholars who tried to analyse the situation of orphans and vulnerable children before and after the earthquake. They did so by using the results of a survey conducted in 2005-2006 and comparing these with the results of other studies conducted in the aftermath of the earthquake (Gupta & Agrawal, 2010). An analysis on the effects of the earthquake when it comes to the mental health was conducted through the means of interviews and surveys sent out to “872 participants aged 7 to 17 in 12 schools, door-to-door canvassing and two centers for street children at Port-au-Prince” (Cénat & Derivois, 2015, p.57). When the scholars made the selection of participants, they either did so based on a random sampling (Hutson et.al., 2014) or on the participants' relevance for the study's aim (Cénat & Derivois, 2015).

In addition, since I am not conducting a field study, which means I am unable to collect information about the situation myself, I would like to use news articles from different international organisations in order to understand what was the situation in the post-disasters Haiti. Even though the PDNAs are comprehensive and offer an “inside” look at post-disasters Haiti, they are written by the Haitian Government which means that, for avoiding having an one-sided perspective over the situation, I need to include some articles coming from neutral actors, such as UNICEF and the World Bank.

These articles will be used for understanding both what were the steps taken by these international organisations in order to help Haiti respect children's rights as well as what was the real situation in the country. They allow me to follow the process of assistance conducted by the UN, the duties imposed on Haiti by the IACHR and the needs and statistics

underlined by the UNICEF when it comes to Haitian children in the aftermath of both the 2010 Earthquake and the 2016 Hurricane Matthew.

Chapter 5: ANALYSIS

The whole discussion about the impact of natural disasters on children's rights, as well as the way vulnerable states and international actors should react when faced with this kind of events can take two different directions. One refers to outlining the disasters' effects, entering into a sociological discussion, while the other one implies analysing the situation from a legal point of view, trying to understand which should be the institutional response to catastrophes as well as their preventive approach. For the second possible direction, one has to consider the international legal obligations of Haiti that can pursue the domestic institutions to take certain steps towards protecting the state and addressing the causes of these events.

In Chapter 5.1., the effects of the 2010 Earthquake and the 2016 Hurricane Matthew on Haitian children's rights are presented, with the help of both primary and secondary sources of material. This section of Chapter 5 aims to answer to the first research question, while Chapter 5.2. provides an answer to the second one. In Chapter 5.2., the institutional response required from both the national and international actors is presented, as well as the legislation that stipulates Haiti's obligations (Chapter 5.2.1.). Furthermore, the preventive approach and the measures taken by the institutions in addressing the natural disasters' causes will be discussed in Chapter 5.2.2.

Chapter 5.1. Natural disasters' effects on Haitian children's rights

The impact of the 2010 Earthquake was devastating since the disaster "caused an unprecedented situation in Haiti with enormous repercussions affecting all sectors of society, well beyond the areas directly affected by the catastrophe" (PDNA, 2010, p.1). The hurricane did also produce a lot of damage and caused hundreds of losses, all these added to the "fragility of the population, the bad quality of the infrastructures and the environmental degradation that were already prevalent in Haiti"² (PDNA, 2017, p. xv).

The rights I am going to discuss in this sub-chapter are stipulated in the CRC and in the Op.Prot. ratified by Haiti in 2014 (OHCHR, n.d.-b). Children's right to education (art.28 of the CRC), to an adequate standard of living (art.27), to family life (art. 9, 20) and to safety (art. 19, 32 & 34 of the CRC and art. 2a & 3 of the Op. Prot.) have been threatened by

² fr. "À la fragilité de la population, la mauvaise qualité des infrastructures et la dégradation environnementale qui prévalent en Haïti"

the two natural disasters. In what follows, an overview of the effects the 2010 Earthquake and the 2016 Hurricane Matthew had on the abovementioned children's rights is presented.

Chapter 5.1.1. The right to education (article 28 of the CRC)

“Prior to the earthquake, Haiti's education system was characterized by decentralization and a severe lack of resources and qualified teachers” (André, 2010). Since poverty has always been a problem in Haiti, education was considered the only way one could overcome poverty and live a better life.

According to the PDNA on the earthquake, “the majority of damage to the education sector [was] in the form of destroyed or damaged buildings” (PDNA, 2010, p.63). A very powerful influence on the school attendance, besides the damage of the educational establishments, was the family unit and the problem of housing. People could not live in the same place where they lived pre-quake, and “17.5% of families stated that they had at least one member in work (compared with 66% before the earthquake)” (ibid., p.64) – an aspect very relevant since most of the Haitian education was provided by the private sector (The World Bank, 2015). This means that since only a limited number of parents were working after the earthquake, the possibilities of paying for school decreased. Furthermore, many children had at least one parent dying during the earthquake which resulted in risks “of short-term disruption to educational demand..., threatening the current academic year and placing children in an even more vulnerable position” (PDNA, 2010, p.64).

In 2016, out of the 10.848,174 Haitian inhabitants, 4.740,213 were children and adolescents (see Image 1). The hurricane impacted on children's education causing risks for “at least 150 000 children and adolescents to be out-of-school during the academical year ongoing with 5 000 teachers and educational directors being affected by the consequences of the Hurricane Matthew”³ (PDNA, 2017, p. 36).

As mentioned in Chapter 3.1, a couple of scholars were interested in the outcomes the 2010 Earthquake had on Haitian children. When it comes to education, they also brought into discussion the problem of destroyed schools and losses of educational human resources. Todres (2010) mentioned that “schools that did not collapse may still be unsafe. Many teachers were killed or injured in the earthquake, depleting the education system's human resources “(p.123).

³ fr. “au moins 150 000 enfants et adolescents risquent d'être déscolarisés durant l'année académique en cours, et quelque 5 000 enseignants et directeurs travaillant dans le système éducatif sont touchés par les conséquences du cyclone Mathieu”

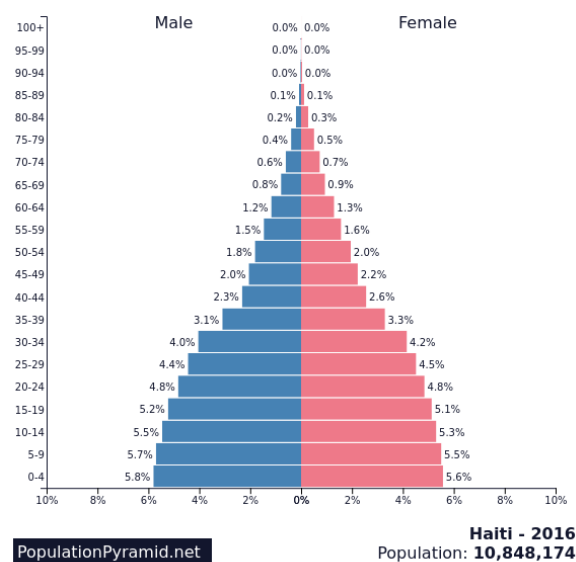


Image 1. Pyramid of Haiti's population in 2016 (source: on image)

Furthermore, they acknowledged the fact that “the education system, which Haiti itself conceded as “unfit to contribute to socio-economic development prior to the earthquake, has been disrupted dramatically” (Todres, 2011a, p.65), in the aftermath of the disaster.

Moreover, the scholars brought into discussion the fact that educational supplies were lost when the schooling establishments were destroyed (ibid.). Connected to the discussion on parents losing their jobs in the aftermath of the disasters, some of the scholars underlined that “contributions of the child to household income via child labor... [reduced] the likelihood that the child attends school” (Hutson et.al., 2014, p.2).

A difference between the 2010 Earthquake and the 2016 Hurricane Matthew when it comes to education is that while after the former, “around 490.000 children” (UNICEF, 2017a) were out of school, the earthquake had as one of its results that “almost three million children either had their education interrupted or continued to be denied access to education” (Binford, 2011, p.19). However, the problem of private schooling was still visible in the aftermath of the hurricane with “not enough spaces for children to enrol in free public schools” (The World Bank, 2017).

An aspect that was not discussed after the 2010 Earthquake but seemed to be very important in the aftermath of the hurricane is that “school means normalcy for children” (Albright, 2016). This statement implies that children’s education in the aftermath of any natural disasters must become a priority for the institutions, as to help children get back to their routines and avoid being too affected by the events taking place around them.

Chapter 5.1.2. The right to an adequate standard of living (article 27 of the CRC)

Over half the population had no access to either formal health service or drinking water. Even before the earthquake, 30% of children were already suffering from

chronic malnutrition and it is estimated that 40% of households were living in food insecurity (PDNA, 2010, p.13).

a. Food

As mentioned in the **Introduction**, Haiti is one of the most impoverished countries in the world, which implies that the levels of starvation and malnutrition in the country are high. “In the regions affected by the earthquake, the percentage of households suffering from food insecurity has risen from 40% [before the earthquake] to 52%” (PDNA, 2010, p. 65). This implies that even though the levels of food scarcity were high in Haiti even pre-quake, this insufficiency raised in the aftermath of the catastrophe, resulting in food shortages for more than half of the population.

Considering children’s vulnerability and dependence on adults, one can understand that they were the most affected by the food shortage. People started to owe money to each other because they tried to provide food for their children, action that created another internal crisis in the country when people started to be unable to pay their debts. Furthermore, they even started to sell “their possessions to buy food” for their children (ibid.).

Some of the scholars interested in the situation of Haitian children’s rights post-quake, conducted a survey for understanding the impact of the earthquake on child food security. They claimed that there is an important relationship between food security and schooling when it comes to children, and decided to examine “how schooling, living conditions, abuse history, and socio-demographic factors relate to food security after the earthquake” (Hutson et. al., 2014, p.2). They acknowledged that “children who were attending school prior to the earthquake had lower odds of experiencing food insecurity following the earthquake, compared with children who had not been attending school” (ibid, p.6). Their conclusion was based on the idea according to which, “those households vulnerable on multiple dimensions prior to the quake were also vulnerable to food insecurity after the quake” (ibid., p.1). This means that those experiencing a better standard of living pre-quake had higher chances, based on their financial situation (mostly private education in Haiti), to avoid food scarcity in the period post-quake.

When it comes to the hurricane, food shortage was still one of the main problems in relation to children’s rights. Food insecurity affected more than 70% of the population with “1,9 million of persons in need of food assistance” (PDNA, 2017, p.66). Based on this statement, it can be understood that the levels of scarcity post-hurricane were higher than in the aftermath of the earthquake. As a consequence of the hurricane, the

agriculture was highly affected so those households that were counting on their crops for ensuring food to their children had to reconsider their supplies, as for these to last as long as possible (ACTED, 2017). Furthermore, the impact of the hurricane on agriculture could be also noticed when it came to food prices because, since the crops were destroyed, seasonal products were “barely available after the hurricane, which forced Haitians to turn to imported products, leading to price increases of 15 to 20%” (ibid.).

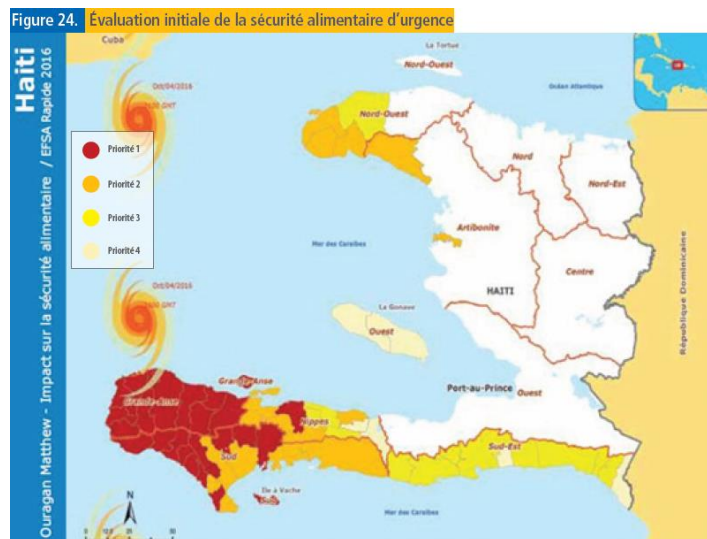


Image 2. Initial evaluation of the level of prioritizing areas in the country based on food insecurity - after the hurricane (Source: PDNA, 2017, p.67)

The government itself admitted that, in the aftermath of the hurricane, “a quarter of families spend more than 65% of their income on food..., [which limited] their capacity to access other essential products and services and to relaunch and rebuilt their means of support” (ACTED, 2017).

b. Water

Access to water seemed to be problematic even before the earthquake with poor “drinking water coverage ... in both urban (70%) and rural (51%) areas, according to 2008 data” (PDNA, 2010, p.66). Even though the drinking water production was resumed the next day after the earthquake, severe damages were produced to the “water collection systems, pipelines, water points and reservoirs” (ibid., p.68). As already known, water is essential for the development and well-being of children. While adults may manage to find solutions easier, children’s dependence is even higher when it comes to water, food and health care. As the Haitian government acknowledged, in the aftermath of the earthquake, “over half the population had no access to ... drinking water” (PDNA, 2010, p.13). The problems that

appeared in the water sector after the earthquake had different causes (according to the damages produced), as it is shown in Image 3.

Component: Drinking Water	Damage (million USD)		Losses (million USD)	
	Public	Private	Public	Private
Damage to pre-existing infrastructure (1 SNEP network + approx. thirty small rural networks)	14.1	0.9	/	/
Damage to pre-existing equipment and supplies (generators, pumps, etc.)	0.1	0.1	/	/
Damage to other pre-existing assets (buildings)	0.8		/	/
Absence or reduction in income from subscribers for pre-existing services	/	/	6.0	
Additional costs to compensate for the absence of EDH and to provide a regular electricity supply to pumping stations	/	/	2.8	0.4
Drinking Water TOTAL	15.0	1.0	8.8	0.4

Image 3. The total damages produced by the earthquake in the drinking water sector – in US dollars (Source: PDNA, 2010, p. 67)

In the aftermath of the earthquake, additional problems such as “the erosion of watersheds, poor management of solid and liquid waste due to the installation of slums, along with the absence of integrated management of water resources” (PDNA, 2010, p. 50) made the provision of drinking water to children even more difficult. Based on this, both the quality and quantity of the provided water decreased considerably (ibid.).

When it comes to the 2016 Hurricane Matthew, water shortage was seen as one of the four sectors where this catastrophe impacted the most (PDNA, 2017). Drinking water was very rare, especially in rural areas, where children had to “spend long periods obtaining and carrying water, to the detriment of their education” (Humanium, n.d.). Furthermore, since the water usually found by children was not potable, “the increased risk of diseases caused by contaminated water is even more worrying because of damage to health infrastructure”⁴ (PDNA, 2017, p. 62). Moreover, even though there is no estimation or statistics regarding the number of Haitian children in need of water pre-hurricane, it was acknowledged that “around 3,500 children in institutions require[d] WASH and nutrition assistance” (OCHA Haiti, 2016, p.3).

This number included only the children in shelters or orphanages, so it can be estimated, based on the previously described situation, that the number of children suffering from water shortage post-hurricane and living outside of institutions was at least twice as high as the one of children living in institutions.

⁴ fr. “L’augmentation du risque des maladies causées par l’eau contaminée est encore plus préoccupante à cause des dégâts subis par les infrastructures de santé”

c. Health care

As mentioned in the previous two subsections, **a. Food** and **b. Water**, any shortages on these two basic needs impacts on children’s health. Before the 2010 Earthquake, “around 47 % of the population had no access to health care” (PDNA, 2010, p.60) and the health system was feeble with a lot of money spent without visible results (ibid.). The earthquake destroyed more than 70% of the hospitals and health institutions in the area where it hit (see Image 4), and this affected the quality of the health service delivery as well as the “the ability of the health care system to respond” to medical requests (PDNA, 2010, p.60).

Level of damage by type of structure	No damage or very little damage	Light damage	Severe damage	Completely destroyed	Total
Secondary and Tertiary Hospitals	14	5	22	8	49
Health Centres and clinics	215	38	12	9	274
MPSS and other admin. buildings	4	8	1	10	23
University and training institute	23	2	3	19	47
Total	256	53	38	46	393
Total as a percentage (%)	65	14	10	12	100

*Image 4. The damage of health institutions – in number of buildings
(Source: PDNA, 2010, p.61)*

Todres (2011a) quoting a statement from UNICEF claimed that “[t]he earthquake literally flattened the Ministry of Health, decimated an already weak health infrastructure, and heavily burdened health professionals” (p.64). He underlined that since people lost their houses in the earthquake, they had to live in tents or shelters with their children, where the risks of contracting a disease were huge – “acute respiratory infections ... [were] a major concern in the overcrowded resettlement areas due to inadequate ventilation, particularly for children under five years of age” (ibid, p.64-65).

Two other scholars conducted a research on the survivor adolescents and children’s mental health focusing on depression and post-traumatic stress disorder (PTSD). Their conclusion showed that the treatments for reducing these two affections in children must be improved and that they “should be geared primarily toward girls, adolescents between the ages of 14 and 17 and those children and adolescents who have lost a family member in the earthquake” (Cénat & Derivois, 2015, p. 57).

The state of health in Haiti was on recovery before the country was hit by the hurricane, but the process was very slow “given the weaknesses of the national health system and the great physical and socio-economic vulnerability”⁵ of the country (PDNA, 2017, p.

⁵ fr. “les faiblesses du système national de santé et la grande vulnérabilité physique et socio-économique”

34). Women and girls were the most endangered since the negative effects of the hurricane impacted on all aspects of their lives, negatively affecting “their mental health and their relations within households and communities in general”⁶ (ibid., p.43).

A discussion on the importance of children’s health in the aftermath of the hurricane emerged when UNICEF claimed that in Haiti, “water-borne diseases such as cholera and acute diarrhoea flourish in the wake of a disaster such as hurricane Matthew. These diseases disproportionately affect children” (UNICEF, 2017a).

Chapter 5.1.3. The right to family life (article 9 & 20 of the CRC)

Even though the CRC does not particularly talk about orphans and/or at-risk children when it comes to the right to family life, they are both important categories of vulnerable children. For the present paper, the problem of orphans is even more complicated since they are deprived of their right to family as a consequence of losing one or both of their parents in the natural disasters. It can also be the case that parents left the children behind, “for a better life” when they lost everything in the earthquake or the hurricane. The right to family life stipulated in the CRC refers to the protection “children deprived of his or her family environment” (UNGA, 1989, art. 20) are entitled to, while it also mentions that children’s separation from family should be avoided as much as possible (ibid., art.9).

In Haiti, *restavèk* is usually associated with the problem of orphans and at-risk children since:

while orphans might be considered the ‘visible vulnerable’ (in that the status is acknowledged and even sought after for the benefits it potentially provides), the restavèks are the invisible vulnerable – the ‘children of shadows’, the ‘forgotten children’, or the ‘lost children’ (Hoffman, 2011, p.158).

In the PDNAs, orphans are included in the category of vulnerable groups, together with “street children..., old people, [and] the infirm” (PDNA, 2010, p.38). Their vulnerability is acknowledged, and the big impact of the two natural disasters on children is visible since before the earthquake, around 380.000 children were orphans (Lombardo, 2016) and the number raised to more than 430.000 post-quake (UNICEF, 2013).

Unfortunately, when it comes to the impact of the hurricane on children’s right to family life, no statistics on the number of orphans or at-risk children post-hurricane are

⁶ fr. “des impacts négatifs sur leur santé mentale et dans leurs relations au sein des ménages et des communautés en general”

available. On the other hand, the problem was visible in the country and the IACHR's Report on the Fulfilment of Children's Rights underlined this by claiming that family should be considered "a cornerstone of child rights protection" (IACHR, 2017, p.145) and therefore, the right to family life must be guaranteed. A report on the right to family life was developed by the IACHR in 2013 with the aim of highlighting the "fundamental role [of] families in guaranteeing the care, well-being and protection of children, because family is the natural environment for the growth and development of children" (IACHR, 2013, p. v).

Moreover, UNICEF decided, in the aftermath of both natural disasters, to focus on orphans and at-risk children as to help them either find their families or foster families that were willing to take care of them. UNICEF's aim was to offer physical and emotional support, as well as "family-tracing programmes [to those] children who are lost or separated from their relatives" (Ledwith, 2010)

Orphans and at-risk children are even more vulnerable than the rest of Haitian children when it comes to trafficking, abuse, exploitation and/or slavery as it will be shown in the next section.

Chapter 5.1.4. The right to safety (article 19, 32, 34 & 35 of the CRC, and article 2a & 3 of the Op. Prot.)

As it can be noticed, the right to safety cannot be comprised in only one article of the CRC or the Op. Prot., since one needs more than that to express it. While article 19 of the CRC enumerates the areas where the state should intervene for guaranteeing this right, articles 32, 34 and 35 of the same document refer particularly to child labour (32), sexual exploitation/abuse (34) and child trafficking (35). Furthermore, article 2a of the Op. Prot. explains what *sale of children* means, while article 3 of the same document stipulates what are state's obligations for avoiding this from happening.

As mentioned in Chapter 5.1.3., the discussion on *restavèks* is very relevant for the problematization of Haitian children's rights. One of the scholars discussing the problem of orphans or abandoned children claimed that "the practice of leaving orphaned or abandoned children with families who may be less impoverished—*restavèk* children—is common in Haiti and represents a critical human-rights issue for children" (Nicholas et.al., 2012, p.183). It is difficult to make an assessment regarding any possible difference between the number of *restavèks* before and after the natural disasters since no actual data, on the topic, is available. An estimation of UNICEF from the period after the 2010 Earthquake says

that “there are 250.000 children in Haiti serving as restaveks” (Nunan, 2010). Unfortunately, this issue “has a long and sustained history in Haiti with research showing families and communities complicit in the traffic” (Kushner, 2010, p.72).

This may be one of the reasons why data is not available on the topic, but even though statistics are impossible to obtain, the problem is visible and, based on the previous findings presented in this paper, one can understand that child slavery in the form of restavèk is a long-lasting problem in Haiti (Russell & Liu, 2007). Since the earthquake and the hurricane resulted in losses of citizens (parents) and damages of houses and schools, as well as a decrease in the number of parents working, the need for a better life determined parents to give away their children to richer families, hoping that they will get a better education and the chance to build a proper future. Furthermore, the natural disasters “caused many more children to become restaveks, as children who were orphaned by the quake could potentially be turned over by distant relatives who cannot take care of them” (HSKI, n.d).

But child slavery is not the only existent issue when it comes to Haitian children’s right to safety. Children are also trafficked overseas (to the USA), to the Dominican Republic or within the country, abused and vulnerable to HIV/AIDS because of the poor living conditions. As mentioned before, the infrastructure was highly damaged in the aftermath of the disasters, with this “creating ideal recruiting grounds for traffickers and other who seek to exploit children” (Todres, 2010, p.122). Scholars talked a lot about the vulnerability of girls in the aftermath of disasters, mostly when it comes to sex trafficking. This threat to Haitian children’s safety is increased by the problem of girls being raped in shelters and, thus, placed at risk of “HIV infection, additional sexual and physical violence, mental trauma and poor reproductive outcomes, including unwanted pregnancy” (Gupta & Agrawal, 2010, p.1998).

Since natural disasters made the problem of child trafficking even more difficult to solve, UNICEF started, in 2011, to support “Child Protection Brigades at four official border crossings, which check vehicles to ensure that children without papers, and those unaccompanied by their parents, [do not] cross into the Dominican Republic” (Menezes, 2011).

The effects of both the 2010 Earthquake and the 2016 Hurricane in regard to the following four children’s rights – to education, to an adequate standard of living, to family life and to safety have been described in this sub-chapter. The question that may be raised after acknowledging the outcomes of the disasters is: what were the measures taken by the national

and international institutions for protecting these rights? This aspect is discussed in the next sub-chapter.

Chapter 5.2. National and international institutional response

The aim of this sub-chapter is to provide answers to the second research question, regarding the institutional response of both national and international actors when it came to the 2010 Earthquake, the 2016 Hurricane Matthew and children's rights. This sub-chapter is structured as follows: Chapter 5.2.1. will introduce both the domestic and international legislation relevant for the discussion on Haitian children's rights, while Chapter 5.2.2. will include the issue of prevention as well as the measures taken by the institutions to address disasters' causes.

Chapter 5.2.1. International and domestic legislation

The present paper aims to understand both the international and national response to the main natural disasters that hit Haiti under the 21st century and in order to achieve this, the legislation relevant in this case has to be presented.

Firstly, the most relevant international piece of legislation for the case of children's rights is the CRC. The problem with its application into the national legislation is that Haiti has no instrument of law that refers specifically to children, but only its Constitution from 1987 that includes few references to children and their rights. Furthermore, while the Op. Prot. is the international legal instrument relevant for the problem of *restavèk*, legal domestic articles relevant for this discussion can be found in the Haitian Labour Code (version of 1984, renewing the one from 1961). Finally, the Labour Code goes hand in hand with some of the ILO's conventions, such as the Minimum Age Convention (1973) and the Abolition of Forced Labour Convention (1957). It must be reminded that Haiti is a member of the ILO since 1919 (ILO, n.d.-a).

Even though Haiti has ratified the CRC in 1995, no national instrument of legislation regarding only children's rights has been developed. This is not a compulsory step for states to take but it may allow them to adjust the international law to their national standards. According to article 276.2 of the Haitian Constitution, "once international treaties or agreements are approved and ratified in the manner stipulated by the Constitution, they become part of the legislation of the country and abrogate any laws in conflict with them" (Constitution of the Republic of Haiti, 1987). This stipulation implies that Haiti did not need

to create its own convention, since they committed themselves (by ratifying the CRC) to respect all the regulations in this legal document.

However, the Haitian Constitution contains few references to children, with article 261 ensuring “protection for all children” (ibid.) and article 260 regarding children born outside of the wedlock. Now the problem regarding Haiti’s application of the CRC into practice could have been noticed in Chapter 5.1. where the effects of the 2010 Earthquake and the 2016 Hurricane Matthew on children’s rights were presented. It is acknowledged that none of the four abovementioned rights Haiti engaged itself in respecting, were fully protected in the aftermath of the two natural disasters.

As mentioned in Chapter 5.1.1., education is mostly private in Haiti and this seems to contravene to the Constitution which requires that “schooling [must be] available to all, *free of charge*” (Constitution of the Republic of Haiti, 1987, article 32.1). The problem is that, as shown in the chapter on the right to education, not only that schooling was no longer available in those zones affected by the disasters, but teachers got killed, and many schools turned into shelters, minimizing the chances of children to continue attending school.

When it comes to the right to an adequate standard of living, both the right to food and health are mentioned in the Constitution, by the means of articles 22 and 23, while the right to water seems to be ignored. Since the country committed itself to fully comply with the CRC, the country must fulfil its obligation in accordance to article 24.2.c of the aforementioned document which requires the state to:

*combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and **clean drinking-water**, taking into consideration the dangers and risks of environmental pollution* (UNGA, 1989).

Regarding the right to family, the Haitian Constitution presents it as “the foundation of the society” (Constitution of the Republic of Haiti, 1987, article 259), committing itself to protecting it. Unfortunately, the state is still struggling with the problem of *restavèk*, an aspect that mismatches with the right to family, since this is neglected as long as the state is aware of this practice and does nothing to refrain people from performing it. When it comes to the vulnerability of orphans and at-risk children, no additional provisions have been made. Since the number of orphans and at-risk children increased dramatically in the post-disaster Haiti, a national regulation on this topic must be developed by Haiti in preparation for other similar situations that may occur.

For the issue of the right to safety, another national document rather than the Constitution may be useful and this is the Labour Code. This legal instrument does not exclude minors from working as it should do according to the ILO Minimum Age Convention that the country ratified in 2009 (ILO, n.d.-b). It is important to know that Haiti added a reservation to the ratification, considering the minimum age for employment to be 14 years old (ibid.). Chapter 7 of the Haitian Labour Code stipulates several conditions for the employment of minors, such as the areas of employment where children can be hired, as well as the conditions they must fulfil before being included into the labour market. This seems to be an example of an adaptation of international legal regulations to domestic society and law.

Moving to the issues of child labour and slavery (*restavèk*), art. 32.1 of the CRC obliges the states to:

recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development (UNGA, 1989).

In relation to this, the Haitian Labour Code stipulates that working within the house is allowed for children older than 12 years old (article 341) as long as they are “legally protected against unhealthy, harsh or dangerous employment, both from a physical or moral point of view...” (Vité, 2002, p.9). Although, the practice of *restavèk* does not correspond to these stipulations (both the one in the CRC and the one in the Labour Code) since these “modern slaves” are not protected by their host families, but rather exploited (ibid, p.10).

For this particular issue, it can be concluded that the national culture and the well-established practices ruled over both the international and national legislation. Furthermore, parents who decided to send their children to richer families may have not been aware of the consequences of their actions, since the host families agree, “in principle, to take care of them, provide them schooling, food, shelter, and clothing in exchange for domestic labour” (Vité, 2002, p.10). But, the reality seems to be different than the promises given by rich families to those parents that agree to send their children from home, hoping that they will get a chance to a *better life*.

Last but not least, the problem of sexual abuse and trafficking has to be discussed. Article 35 of the CRC requires states to take all the necessary measures for preventing “the traffic in children for any purpose or in any form” (UNGA, 1989). Unfortunately, Haiti is recognized for the high number of children trafficked to the

Dominican Republic. “According to the International Organization for Migration (IOM) and UNICEF, over 4000 children are trafficked from Haiti every year” (Vité, 2002, p.11). This can also be explained by the fact that no national legislation on the topic has been developed.

The same problem appears in the case of sexual abuse of children. While the right of children to be protected from this practice is mentioned in article 19 of the CRC, the Haitian Criminal Code barely stipulates, in article 182.1, the punishment one may get if assault is committed (ibid, p.8). However, Haiti has to comply with the CRC, as the state itself committed to do and this implies that the state is obliged “to protect the child from all forms of sexual exploitation and sexual abuse” (UNGA, 1989, art.34)

While some may argue that Haiti is a sovereign state that can decide on the application of international law into domestic legislation, I have to underline the fact that Haiti accessed the 1969 Vienna Convention on the Law of Treaties on the 25th August 1980 (UN Treaty Collection, n.d.). Accession has the same legal effect as ratification, which means that Haiti must comply with the regulations stipulated in the aforementioned convention. This includes, as mentioned in Chapter 2.3., the *pacta sunt servanda* principle (article 26), according to which every treaty ratified by a state must be applied into practice (UN, 1969). If we consider the CRC, Haiti would not be able to invoke its sovereignty in order to justify the infringement on children’s rights since article 27 of the 1969 Vienna Convention on the Law of Treaties stipulates that “a party may not invoke the provisions of its internal law as justification for its failure to perform a treaty” (ibid.).

After presenting both the international and national legal regulations that are important for the discussion on children’s rights, an overview of the preventive actions taken by the international and national actors will follow in the next sub-chapter.

Chapter 5.2.2. Prevention – factors and measures

As mentioned in Chapter 3.2., Foucault had a discussion on preventing *events* from happening. In this discussion, he attributed this task to the sovereign, which for the present paper is represented by national and international institutions. Within this thesis, prevention is understood as an important step to be taken by Haiti and the international community, in the aftermath of a natural disaster and it implies understanding the causes of disasters in order to be able to address them properly. Furthermore, prevention also refers to the obligation of the aforementioned actors to take measures that are in accordance with these causes, which means implementing a particular measure for each and every factor.

Before proceeding into this sub-chapter, it is important to acknowledge that, in this paper, *prevention* does not only imply “the action of stopping something from happening or arising” (English Oxford Living Dictionaries, n.d.-b), but also avoiding certain consequences. The term also refers to the response of the institutional actors to natural disasters. As already acknowledged, there are no institutions to be held accountable for producing a natural disaster, since natural disasters are outside of human control, so the present analysis focuses on the idea of avoiding specific outcomes rather than on preventing the event from happening.

The whole discussion on prevention opens up for a sociological analysis, as mentioned in Chapter 3.2. In the present sub-chapter, I aim to understand the situation in Haiti while having in mind Foucault’s approach on events and prevention. Furthermore, both the political and social measures taken by the Haitian Government and the international actors for preventing the infringement on children’s rights, in the aftermath of the two natural disasters, are presented in this section.

a. The 2010 Earthquake

Besides the geographic position of Haiti, which represented the main cause of the earthquake and which cannot be controlled by any institutions, other factors that intensified the catastrophe were identified. One of these factors was the infrastructure, a real problem in the state, since “Haiti is a poor country with lax building standards and high population density, which makes buildings more likely to crumble” (Thompson, 2010).

In the aftermath of the earthquake, both national and international actors acknowledged the need for action when it came to the infrastructure, so they intervened by, *inter alia*:

[setting] up a fund for rebuilding urban and community infrastructures ... [providing] training in construction techniques which take the various risks into account...[re-establishing] the highway and urban road network to a state equivalent to that prior to the earthquake...[training] managers and [setting] up ICT facilities for children, young people, and the public administration (PDNA, 2010, p.15-16).

Furthermore, poverty, combined with citizens’ lack of preparedness and “poor public communication and education” (Thompson, 2010) resulted in a population that was not ready for a catastrophe, neither able to react quickly and save itself. In addition, scholars

argued that “the relative rareness of major earthquakes in the area” (ibid.), represented an additional element that made it even more difficult for Haitians to be prepared and to know how and what to do for surviving a natural disaster. For addressing this problem, Haiti and the international community aimed to provide “education and awareness-raising of the population in coastal areas regarding action to be taken in the event of a disaster (establishment of an early warning system and evacuation areas)” (PDNA, 2010, p.49)

When it comes to the Haitian Government’s response, the state acknowledged the existent problems, included them in the PDNA published in 2010, presented the actions already performed and proposed a series of steps to be taken. The earthquake happened on the 12th of January 2010 (PDNA, 2010, p.1) and 3 days after, the Government created “6 working groups with mixed membership from civil society and government, to coordinate efforts in the health, food aid, water distribution, fuel and energy sectors, and for temporary shelters, reconstruction and safety” (PDNA, 2010, p.27). Most of these sectors are very important when it comes to children’s rights, as it was shown in Chapter 5.1.

According to the Haitian Government, the international actors helped the state to, among other:

supply the urban population with drinking water; organise massive distribution of food aid to deprived persons (targeting one million beneficiaries); ... to organise the construction of 4 sites within the metropolitan region, for those who lost their homes and who are currently living on the street (PDNA, 2010, p.27).

Moreover, as mentioned in Chapter 5.1., the risk of children getting abused, exploited or trafficked increased in the aftermath of the earthquake, so UNICEF started to work for eliminating these practices by supporting “child friendly spaces that provide children between the ages of 3 and 17 with a safe environment to play and be themselves, despite the challenging circumstances” (UNICEF, 2017a).

In addition, as mentioned in Chapter 4.1., the UN established a “stabilization mission” in the country. Although the Haitian Government considered that “there has been a rapid humanitarian response from the international community” (PDNA, 2010, p.27) in the aftermath of the earthquake, the UN Secretary-General underlined that the state still had a lot of work to do for improving various sectors.

In the report from September 2010, the UN Secretary-General claimed that:

continuing existence of some 1,300 camps for displaced people, together with increasing gang activity linked in part to the escape of prisoners during the earthquake, the continuing weakness of rule-of-law institutions, and the potential political unrest associated with the electoral period, are factors contributing to a potentially volatile security environment (UN Security Council, 2010, p.2)

Children's vulnerability in shelters was also acknowledged in the report, where an additional mention on possible sexual abuse was included (ibid., p.3). This implies that even though the Haitian Government considered the international institutions' response to be appropriate and fast, the UN claimed that Haiti had to focus more on prevention and reconstruction than they did until the moment when the report was written.

Regarding child trafficking, the report described the joint operation between the Haitian National Police, United Nations Development Programme (UNDP), UNICEF and UN police aiming to provide "technical capacity-building in border management and the protection of minors" (UN Security Council, 2010, p.6). While most of the schools were opened again, five months after the earthquake, only "a minimum package of health services has been developed by the Ministry of Health with support from the World Health Organization" (UN Security Council, p.12).

It can be concluded that in the aftermath of the 2010 Earthquake, both the Haitian Government and the international community tried to implement measures aimed to address the factors that caused the catastrophe. The humanitarian aid from the international community was a very important economic resource for Haiti in the recovery and prevention processes, and therefore only some of the children's rights were prioritized post-quake, based on the allocation of resources by the international actors.

b. The period between the two natural disasters

In the period between the two natural disasters, a couple of reports were submitted by the UN Secretary-General. Out of these reports, I decided to analyse the semi-annual report from 2013 in which the status of children's rights in the country was included. During this period, the main task of both the Haitian Government and the international actors was to reconstruct the country and focus on preventive strategies, as well as develop disaster risk management and preparedness policies.

The Secretary-General claimed that “during the reporting period, MINUSTAH received reports of 261 incidents against minors, including 173 cases related to sexual violence ...; 7 cases of homicide; 16 cases of kidnapping; 4 cases of use of children by armed gangs; 22 cases of physical assault; 7 cases of trafficking of children; and 32 cases of domestic mistreatment” (UN Security Council, 2013, p.11). Even though, the report acknowledged the existent problems, it can be noticed that not many aspects have been improved since the 2010 report was submitted.

This lack of sustainability could be caused by the fact that, the international actors “worked around a government as devastated as its capital, undermining billions of dollars in aid and the very people it was meant to help” (Ahmed, 2016). The president of Haiti since 2016, Jocelerme Privert, claimed that in order to rebuild the country and provide citizens with real aid, the international community must work with the government, as well as “understand that everything will go through [them - the Haitian Government], and trust that [they] have control of the situation” (ibid.).

c. The 2016 Hurricane Matthew

It was already mentioned that the disasters I am interested in for the present paper are outside of human control so some of their causes are hard to be addressed by either the Haitian Government or the international community. The geographic position of Haiti is the main cause of country’s vulnerability to natural disasters, but besides that, other climate factors influenced these catastrophes. When it comes to human losses, scientists claimed that “in Haiti, the biggest factor for loss of life is flash floods and mudslides” (Lancey cited in Weisberger, 2016). The fact that a lot of the country is deforested influences the flooding, placing the people living “in river valleys that [easily] fill up with water” at high risks of death (ibid.).

Since these climate and geographic issues are impossible to address by the country or the international community, the only measure that can be taken is creating safe shelters and evacuating those people living in risk areas. According to the Government, this measure was taken on the 2nd of October when “234 temporary shelters were opened preventively in the South area with evacuations starting the same day”⁷ (PDNA, 2017, p.9)

Furthermore, the hurricane hit Haiti on the 4th of October, and the Government was prompt in taking measures, such as: “(i) assessing the damage and humanitarian needs;

⁷ fr. “234 abris provisoires étaient ouverts de façon préventive dans les départements du Sud et les évacuations ont commencé le jour même”

(ii) ensuring the distribution of medicines, water, food and non-food items; (iii) restoring the lines of communication; (iv) managing the temporary shelters; and (v) coordinating and mobilizing the international humanitarian assistance”⁸ (ibid.).

The PDNA on the hurricane also presented the opportunity Haiti took by accessing the insurance from the Caribbean Catastrophe Risk Insurance Facility Segregated Portfolio Company (CCRIF) which provided the state with an aid of 23,4 million US dollars, used for, inter alia, “the distribution of food, the acquisition of medicines, particularly for children, the cleaning of the main roads...and the replacement of roofs for schools...”⁹ (PDNA, 2017, p.10).

As for the international response, it can be noticed that a couple more international actors, compared to 2010, helped Haiti by taking measures aimed to address the factors causing the hurricane as well as its effects. Besides the UN and its specialized agencies (OCHA, UNDAC etc.), the EU, United States Agency for International Development (USAID), Caribbean Community (CARICOM) and Caribbean Disaster Emergency Management Agency (CDEMA), together with other international actors, provided Haiti with humanitarian assistance in the following sectors: “(i) food security; (ii) education; (iii) health; (iv) water and sanitation; (v) logistics; (vi) emergency shelters and non-food items; (vii) early recovery; (viii) protection; and (ix) emergency telecommunication”¹⁰ (PDNA, 2017, p.10).

In the report submitted by the UN Secretary-General in 2017, he underlined that since “roads, hospitals, schools and thousands of homes were damaged or destroyed, ... more than 175,000 people [got] displaced and ... 330,000 children [became] unable to attend school” (UN Security Council, 2017, p.9). In order to address this problem, UNICEF helped Haiti “in the rehabilitation of 121 schools...[by] coordinating education partner activities, providing school furniture and once the schools reopen, distributing school-in-a-box kits – benefiting more than 20,000 school children” (UNICEF, 2017a).

⁸ fr. “(i) évaluer les dégâts et les besoins humanitaires ; (ii) assurer la distribution de médicaments, d’eau, de nourriture et de produits non-alimentaires ; (iii) rétablir les voies de communication ; (iv) gérer les abris provisoires ; et (v) assurer la coordination et la mobilisation de l’aide humanitaire internationale”

⁹ fr. la distribution de nourriture, l’acquisition de médicaments, en particulier pour les enfants, le déblaiement des routes principales ... et le remplacement des toits des écoles, des églises, etc.

¹⁰ fr. “(i) la sécurité alimentaire ; (ii) l’éducation ; (iii) la santé ; (iv) l’eau et l’assainissement ; (v) la logistique ; (vi) les abris d’urgence et les produits non-alimentaires ; (vii) le relèvement rapide ; (viii) la protection ; et (ix) la télécommunication d’urgence”

No other references have been made to children's rights in this report, but the situation in the country nowadays can clarify whether children's rights are still neglected in the country or not.

According to the country report on Haiti published by the Human Rights Watch (HRW) in January 2018, children's right to education still represented a problem in the country, even though almost two years have passed from the hurricane and eight years from the earthquake. The report claimed that "more than 500,000 children and youth remain out of primary and secondary school [since] Hurricane Matthew significantly impacted access to education, damaging 1,633 out of 1,991 schools in the most hard-hit areas" (HRW, 2018, p.2).

Unfortunately, it can be noticed that no improvement in education was visible, not even at the end of MINUSTAH– 15 October 2017 (United Nations Peacekeeping, n.d.)

Furthermore, the problem of *restavèks* was still actual, at the time of the report, with around 300.000 children in this situation (HRW, 2018, p.4). As the report acknowledged, the situation did not change even though the country was requested, in 2016, by "the UN Committee on the Rights of the child...to criminalize the practice of placing children in domestic service" (ibid.).

Moreover, children's right to safety is still neglected in the country, since temporary shelters created for protection during the hurricane became permanent residences for certain parts of the population, increasing the risk of women and children to be sexually abused (ibid., p.3).

As shown throughout this sub-chapter, the Haitian Government and the international actors are still working for the country's recovery and the progress made so far does not seem to be enough for children to enjoy their rights, as stipulated in international legislation. Nowadays, Haiti is still struggling to protect the interests of its children, even though the international community is trying to help through economic and logistics support.

Chapter 6: SUMMARY and CONCLUSION

Chapter 6.1. Summary

Regardless their dependence on adults, children are rights-holders and should be entitled to fully and freely enjoy their rights. Haiti is recognised as a fragile state due to its geographic location and economic situation, and therefore, it has been struggling in granting rights to its children for a long time.

Throughout the present paper, the impact of the 2010 Earthquake and the 2016 Hurricane on the following Haitian children's rights was analysed: the right to education, the right to an adequate standard of living, the right to family life and the right to safety. The aims of this thesis were to understand what were the effects of the aforementioned catastrophes on Haitian children's rights, the political and social measures taken by the national and international institutions in response to the disasters, as well as whether any changes could be noticed between the two disasters in terms of both institutional response and effects.

The research methods used for reaching these aims were case study and legal analysis, as well as sociology of law. These were potentiated by the sociology of disaster theory, all aiming to understand the situation of children's rights in Haiti. While the case of this thesis is Haiti, the legal method was used in order to understand what were the international and national legal obligations of Haiti, based on the instruments ratified by the state. The issue of prevention and the measures taken by the national and international actors for addressing some of the disasters' causes have also been analysed within the paper.

The main sources of material used were the 2010 and the 2017 PDNAs, together with scholarly articles on the topic and reports published by international actors. In addition to these, international and national legislation, as well as journal articles were included for understanding the legal background of the situation and the actual status of children's rights in the country.

All in all, the following conclusions have been reached: natural disasters cannot be prevented, but states can prepare for them by unpacking their causes and implement measures to address these factors. Furthermore, the 2010 Earthquake and the 2016 Hurricane Matthew made the process of granting rights to Haitian children even more difficult by impacting on the most important areas of child development: education, family, safety, sustenance and health care. Even though both international and national institutions quickly responded to the event and tried to make the process of recovery as smooth as possible, Haiti is still struggling in guaranteeing rights to its children and the situation does not seem to improve as years are passing.

Chapter 6.2. Conclusion

All things considered, it seems that the two natural disasters in question – the 2010 Earthquake and the 2016 Hurricane Matthew had an enormous impact on the following areas of children's rights: education, safety, family life, sustenance and health care. It has been acknowledged that Haitian children's vulnerability is increased by the infringement on their

rights since lacking one of the rights influences on the enjoyment of the other. The number of children attending school decreased in the aftermath of the catastrophes because many parents died during the disasters and this resulted in traumas, lack of economic resources (most of the education in Haiti is provided by the private sector) and child labour (children started to work for replacing the lost income). It has also been noticed that schooling and food insecurity are strongly related, based on a study conducted on households' vulnerabilities pre- and post-disaster. Moreover, the human losses impacted on the number of Haitian orphans and restavèks, while the infrastructural damages increased the number of sexual abuses on girls (due to the fact that they had to live in unsafe shelters) and negatively impacted on the status of health care in the country (destroyed hospitals, killed doctors, lack of proper training).

Furthermore, when it comes to the institutional response, it can be concluded that certain international regulations have not been applied into the domestic law (e.g. legal working age) and neither some national regulations into practice (e.g. Constitutional right to free school for everyone). Certainly, the fact that Haitian population made restavèk a national practice that rules over international legislation resulted in a very difficult situation for the Haitian Government that had to work against the national culture in order to protect the best interests of children.

In addition, even though international organisations provided Haiti with the necessary economic and logistics support for the recovery process, the dependence of the state on the international community's allocation of resources, made the process of prioritizing children's rights even more difficult. Moreover, Haiti had difficulties in using the economic resources properly since the country was, in the aftermath of the disasters, lacking administrative capacity and the level of corruption in the country was getting higher (effects on institutional level).

On the other hand, it has been acknowledged that since natural disasters cannot be avoided because they are outside of human control, the international and national actors must focus on preventing certain outcomes. They should do so by implementing measures to address each and every factor, e.g. poverty – lack of preparation and proper trainings for citizens in disaster management. For example, this problem could have been addressed by investing a certain amount of the international aid received in 2010 in disaster management trainings for the Haitian citizens so that they could have been prepared and know how to react when the hurricane hit the country.

Unfortunately, the lack of sustainability from the international community when it came to the actions taken had an enormous impact on the resilience of the country, with

national institutions becoming disobliging because the international actors decided to rule over them and avoid any consultations in the decision-making process. Moreover, Haiti did not comply with some of the requests from the international community, e.g. 2016 request from the UN to criminalize the practice of *restavèk* and therefore the progress made so far is not enough for Haitian children's needs.

The findings of the paper may serve as a learning tool for other countries facing similar situations. Since the results of the present paper cannot be generalized to other countries, further research may be necessary in order to identify possible patterns when it comes to the impact of natural disasters on the rights of children living in vulnerable countries.

List of references

Primary sources

United Nations Documents

Security Council Report, n.d., *UN Documents for Haiti*. Accessed 7 April 2018, available at:

<http://www.securitycouncilreport.org/un-documents/haiti/>

United Nations Peacekeeping, n.d., *MINUSTAH FACT SHEET – United Nations Stabilization Mission in Haiti*. Accessed 24 April 2018, available at:

<https://peacekeeping.un.org/en/mission/minustah>

UN Security Council, 1 September 2010, *Report of the Secretary-General on the United Nations Stabilization Mission in Haiti*. Accessed 5 May 2018, available at:

<https://minustah.unmissions.org/sites/default/files/n1049400.pdf>

UN Security Council, 19 August 2013, *Report of the Secretary-General on the United Nations Stabilization Mission in Haiti*. Accessed 5 May 2018, available at:

http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2013_493.pdf

UN Security Council, 16 March 2017, *Report of the Secretary-General on the United Nations Stabilization Mission in Haiti*. Accessed 5 May 2018, available at:

http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2017_223.pdf

Reports from different organisations

Human Rights Watch, January 2018, *Haiti – Country Summary*. Accessed 6 May 2018, available at: https://www.hrw.org/sites/default/files/haiti_2.pdf

IACHR, 17 October 2013, *The Right of Girls and Boys to a Family. Alternative Care. Ending Institutionalization in the Americas*, UNICEF. Accessed 18 April 2018, available at:

<https://www.oas.org/en/iachr/children/docs/pdf/Report-Right-to-family.pdf>

IACHR, 30 November 2017, *Towards the Effective Fulfillment of Children's Rights: National Protection Systems*. Accessed 28 February 2018, available at:

<http://www.oas.org/en/iachr/reports/pdfs/FulfillmentRights-Children.pdf>

OCHA Haiti, 31 October 2016, "Haiti: Hurricane Matthew", *Situation Report no. 18*.

Accessed 4 May 2018, available at:

<https://reliefweb.int/sites/reliefweb.int/files/resources/SITREP%2018%20-%20HAITI%20%2831%20OCT%202016%29%20-%20ENG.pdf>

Post-Disaster Needs Assessment (PDNA), 2010, *Assessment of damage, losses, general and sectoral needs* - March, Government of the Republic of Haiti, UN, the IDB, the ECLAC, the World Bank and the European Commission. Accessed 20 February 2018, available at:

<http://documents.worldbank.org/curated/en/355571468251125062/pdf/701020ESWOP1190R0Haiti0PDNA020100EN.pdf>

Post-Disaster Needs Assessment (PDNA), 2017, *Évaluation des besoins post catastrophe pour le Cyclone Mathieu* - January, Government of the Republic of Haiti, UN, the EU, the World Bank and the IDB. Accessed 20 February 2018, available at:

http://www.ht.undp.org/content/haiti/fr/home/library/crisis_prevention_and_recovery/evaluation-des-besoins-post-catastrophe-pour-le-cyclone-mathieu.html

Transparency International, 2013, *Corruption Perceptions Index 2013*. Accessed 18 May 2018, available at: <https://www.transparency.org/cpi2013/results>

Vité, Sylvain, October 2002, *Rights of the Child in Haiti – Report on the Implementation of the Convention on the Rights of the Child by the Republic of Haiti*, World Organisation Against Torture (OMCT). Accessed 7 April 2018, available at:

<http://www.omct.org/files/2001/11/1155/haitichildren2002.pdf>

International and domestic legislation

Constitution of the Republic of Haiti, 1987.

ILO, 1957, *Abolition of Forced Labour Convention*.

ILO, 1973, *Minimum Age Convention*.

UN General Assembly, 20 November 1989, *Convention on the Rights of the Child*.

United Nations, 23 May 1969, *Vienna Convention on the Law of Treaties*.

Images

PopulationPyramid.net, 2016, *Haiti 2016*. Accessed 15 April 2018, available at:

<https://www.populationpyramid.net/haiti/2016/>

Secondary sources

Books

Fischer, Henry, 1998, *Response to Disaster: Fact Versus Fiction & Its Perpetuation: the Sociology of Disaster*. University Press of America.

Foucault, Michel, 2007, *Security, Territory, Population: Lectures at the College de France, 1977-78*. New York: Picador.

Luker, Kristin, 2008, *Salsa Dancing into the Social Sciences*. Harvard: Harvard University Press.

May, Tim, 2011, *Social research: Issues, Methods and Process: 4th edition*. Open University Press.

Pierce, Roger, 2008, *Research Methods in Politics*. University of York, UK. SAGE Publications Ltd.

Journal articles

Banakar, Reza, June 2000, "Reflections on the Methodological Issues of the Sociology of Law". *Journal of Law and Society*, 27(2), pp. 273-295. Accessed 8 May 2018, available at: <http://www.jstor.org.proxy.mau.se/stable/pdf/1410565.pdf>

Binford, Warren, 2 May 2011, "Saving Haiti's children from hell". *Intercultural Human Rights Law Review* 11 (2011), pp. 11-41. Accessed 26 January 2018, available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1829722

Cecchini, Simone, Sunkel Guillermo, Barrantes, Alexandra, 18 April 2017, "Social protection for children at times of disaster", *Challenges Newsletter*, No. 20, pp. 1-10, ECLAC/UNICEF.

Accessed 21 February 2018, available at:

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3089975

Cénat, Mary Jude and Derivois, Daniel, 2015, “LONG-TERM OUTCOMES AMONG CHILDREN AND ADOLESCENT SURVIVORS OF THE 2010 HAITIAN EARTHQUAKE”. *Depress Anxiety* 32, pp. 57-63. Accessed 26 January 2018, available at: <http://onlinelibrary.wiley.com/doi/10.1002/da.22275/abstract>

Fischer, Henry, March 2003, “The *Sociology of Disaster: Definitions, Research Questions, & Measurements. Continuation of the Discussion in a Post-September 11 Environment*”, *International Journal of Mass Emergencies and Disasters*, 21(1), pp. 91-107. Accessed 8 March 2018, available at: <http://www.ijmed.org/articles/82/download/>

Flyvbjerg, Bent, June 2011, “Case Study”, *The Sage Handbook of Qualitative Research*, 4th edition, pp. 301-316. Accessed 5 April 2018, available at: <https://ssrn.com/abstract=2278194>

Folkers, Andreas, 2014, “After virtù and fortuna: Foucault on the government of economic events”, *Distinktion: Scandinavian Journal of Social Theory*, 15(1), pp. 88-104. Accessed 12 May 2018, available at: <https://www.tandfonline-com.proxy.mau.se/doi/pdf/10.1080/1600910X.2013.779288?needAccess=true>

Fouka, Georgia, Mantzorou, Marianna, 2011, ”What are the major ethical issues in conducting research? Is there a conflict between the research ethics and the nature of nursing?”, *Health Science Journal*, 5(1), pp. 3-14. Accessed 4 March 2018, available at: <http://www.hsj.gr/medicine/what-are-the-major-ethical-issues-in-conducting-research-is-there-a-conflict-between-the-research-ethics-and-the-nature-of-nursing.pdf>

Gupta, Jhumka and Agrawal, Alpna,, 2010, “Chronic aftershocks of an earthquake on the well-being of children in Haiti: violence, psychosocial health and slavery”. *Canadian Medical Association Journal* 182.18, pp. 1997-1999. Accessed 26 January 2018, available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3001506/>

Hoffman, Diane M., 2011, “Saving children, saving Haiti? Child vulnerability and narratives of the nation”. *Childhood*, 19(2), pp. 155-168. Accessed 26 January 2018, available at: <http://journals.sagepub.com/doi/abs/10.1177/0907568211415297>

Hutson, Royce A., Trzcinski, Eileen and Kolbe, Athena R., 2014,” Features of Child Food Insecurity after the 2010 Haiti Earthquake: Results from Longitudinal Random Survey of

Households”. *PLoS ONE*, 9(9), p. e104497, pp. 1-12. Accessed 26 January 2018, available at: <http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0104497>

Kushner, Saville, 2010, “Haiti, rights and democracy”. *Journal of Global Ethics*, 6(1), pp.71-73. Accessed 23 February 2018, available at: <https://doi.org/10.1080/17449621003744287>

Mitchell, Tom, Tanner, Thomas and Haynes, Katharine, 2009, “Children as agents of change for Disaster Risk Reduction: Lessons from El Salvador and the Philippines”. *Children in a Changing Climate*, pp. 1-47. Research Institute of Development Studies, Brighton.

Accessed 7 February 2018, available at:

http://www.undpcc.org/undpcc/files/docs/publications/CCC_Working%20Paper_Final1_Screen.pdf

Nicholas, P., George, E., Raymond, N., Lewis-O’Connor, A., Victoria, S., Lucien, S., Peters-Lewis, A., Hickey, N., Corless, I., Tyer-Viola, L., Davis, S., Barry, D., Marcelin, N. and Valcourt, R., 2012, “Orphans and At-Risk Children in Haiti”. *Advances in Nursing Science*, 35(2), pp.182-189. Accessed 26 January 2018, available at:

<http://eds.a.ebscohost.com.proxy.mau.se/eds/detail/detail?vid=4&sid=4f2d8fe3-1873-4c55-9518-497acfd2c256%40sessionmgr104&bdata=JnNpdGU9ZWRzLWxpdmU%3d#AN=000303819200015&db=edswsc>

Nikku, Bala Raju, 2012, “Children’s rights in disasters: Concerns for social work – Insights from South Asia and possible lessons for Africa. *International Social Work*, 56(1), pp. 51-66. Accessed 7 February 2018, available at:

<http://journals.sagepub.com/doi/abs/10.1177/0020872812459064>

Peek, Lori, 2008, “Children and Disasters: Understanding Vulnerability, Developing Capacities, and Promoting Resilience – An Introduction.” *Children, Youth and Environments* 18(1), pp. 1-29. Accessed 7 February 2018, available at:

<http://www.jstor.org/stable/10.7721/chilyoutenvi.18.1.0001>

Sloand, Elizabeth, Ho, Grace, Klimmek, Rachel, Pho, Anthony and Kub, Joan, 2012, “Nursing children after a disaster: A qualitative study of nurse volunteers and children after the Haiti earthquake”. *Journal of Specialists in Pediatric Nursing*, 17(3), pp. 242-253.

Accessed 26 January 2018, available at:

<https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1744-6155.2012.00338.x>

Todres, Jonathan, 2010, “Accounting for Haiti’s Children After the Earthquake: Immediate Needs with Lifelong Consequences”. *Proceedings of the Annual Meeting* (American Society of International Law), Vol.104, *International Law in a Time of Change*, pp. 122-125.

Accessed 26 January 2018, available at:

<http://www.jstor.org/stable/10.5305/procanmeetasil.104.0122>

Todres, Jonathan, 2011a, “A Child Rights-Based Approach to Reconstruction in Haiti”. *Intercultural Human Rights Law Review* 6 (2011), pp. 43-85. Accessed 26 January 2018,

available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1892964

Todres, Jonathan, 2011b, “Mainstreaming Children’s Rights in Post-Disaster Settings”.

Emory International Law Review 25 (2011), pp. 1233-1261. Accessed 26 January 2018,

available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2033300

Stallings, Robert, June 2002, “Weberian Political Sociology and Sociological Disaster Studies”, *Sociological Forum*, 17(2), pp. 281-305. Accessed 8 March 2018, available at:

https://www.jstor.org/stable/3070327?seq=1#page_scan_tab_contents

Bibliographies

Deflem, Mathieu, 2015, *Sociology of Law*, Bibliography in Oxford Bibliographies Online: Sociology. Accessed 3 March 2018, available at:

<http://www.oxfordbibliographies.com/view/document/obo-9780199756384/obo-9780199756384-0056.xml>

Internet sources

News and scientific articles

ACTED, 4 April 2017, *Six months after Hurricane Matthew, a food and nutritional crisis is beginning in Haiti: We must react*. Accessed 4 May 2018, available at:

<http://www.acted.org/fr/node/14524>

Ahmed, Azam, 6 October 2016, *Hurricane Matthew Makes Old Problems Worse for Haitians*, The New York Times. Accessed 15 April 2018, available at:

<https://www.nytimes.com/2016/10/07/world/americas/hurricane-matthew-haiti.html>

Albright, Alice, 20 October 2016, *Education needs to be a priority in post-hurricane Haiti*, GLOBAL PARTNERSHIP for EDUCATION. Accessed 26 April 2018, available at:

<https://www.globalpartnership.org/blog/education-needs-be-priority-post-hurricane-haiti>

André, Richard, 1 March 2010, *Haiti Education Profile: Post-Earthquake*, World Education News + Reviews. Accessed 15 April 2018, available at: <https://wenr.wes.org/2010/03/wenr-march-2010-practical-information>

<https://wenr.wes.org/2010/03/wenr-march-2010-practical-information>

Ledwith, Tim, 22 January 2010, *Crisis response continues in Haiti, with an eye on challenges that pre-date the quake – Haiti's "double disaster"*, UNICEF. Accessed 6 May 2018,

available at: https://www.unicef.org/emergencies/haiti_52571.html

Menezes, Gabrielle, 23 March 2011, *Warning of the dangers of child trafficking in Haiti*, UNICEF. Accessed 18 April 2018, available at:

https://www.unicef.org/infobycountry/haiti_58029.html

Nunan, MP, 3 November 2010, *Reintegrating "restavek" children with their parents in post-earthquake Haiti*, UNICEF. Accessed 18 April 2018, available at:

https://www.unicef.org/emerg/haiti_56712.html<https://www.livescience.com/9798-haiti-earthquake-science-caused-disaster.html>

The World Bank, 12 March 2015, *Four Things You Need to Know About Education in Haiti*. Accessed 24 April 2018, available at:

<http://www.worldbank.org/en/news/feature/2015/03/12/four-things-you-need-to-know-about-education-in-haiti>

The World Bank, 11 April 2017, *Improving Access to Education for the Poor in Haiti*.

Accessed 26 April 2018, available at:

<http://www.worldbank.org/en/results/2017/04/11/improving-access-to-education-for-the-poor-in-haiti>

Thompson, Andrea, 13 January 2010, *Haiti Earthquake Science: What Caused the Disaster*, Live Science. Accessed 5 May 2018, available at:

UNICEF, 2017a, *Hurricane Matthew three months on: Life for Haiti's children – 10 January*.

Accessed 26 April 2018, available at: https://www.unicef.org/infobycountry/haiti_94377.html

Weisberger, Mindy, 4 October 2016, *What Made Hurricane Matthew So Strong?*, Live Science. Accessed 6 May 2018, available at: <https://www.livescience.com/56361-why-hurricane-matthew-strong.html>

Statistics, data and facts

Haitian Street Kids, Inc. (HSKI), n.d., *Restavek Child Slavery*. Accessed 14 April 2018, available at: http://haitianstreetkids.co/Restavek_Child_Slavery.html

Humanium, n.d., *Children of Haiti*. Accessed 1 April 2018, available at: <https://www.humanium.org/en/haiti/>

ILO, 2017, *Global Estimates of Child Labour – Results and Trends, 2012-2016*. Accessed 12 May 2018, available at: http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_575499.pdf

Lombardo, Crystal, 27 September 2016, *33 Unsettling Haiti Poverty Rate Statistics and Facts*, Vision Launch. Accessed 18 April 2018, available at: <http://visionlaunch.com/33-unsettling-haiti-poverty-rate-statistics-facts/#>

UNESCO, n.d., *Haiti – statistics*. Accessed 2 April, available at: <http://uis.unesco.org/country/ht>

UNICEF, 2017b, *Child Labour – Countries and Areas - November*. Accessed 12 May 2018, available at: <https://data.unicef.org/topic/child-protection/child-labour/>

UNICEF, 27 December 2013, *At a glance: Haiti – Statistics*. Accessed 1 April 2018, available at: https://www.unicef.org/infobycountry/haiti_statistics.html

Status of ratification & membership

ILO, n.d.-a, *Country profile*. Accessed 22 April 2018, available at: <http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11003:0::NO::>

ILO, n.d.-b, *Ratifications for Haiti*. Accessed 21 April 2018, available at: http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:102671

OAS, n.d., *Member States*. Accessed 19 May 2018, available at: http://www.oas.org/en/about/member_states.asp

OHCHR, n.d.-b, *Status of Ratification – Interactive Dashboard*. Accessed 9 March 2018, available at: <http://indicators.ohchr.org/>

UN Treaty Collection, n.d., *Vienna Convention on the Law of Treaties – status of ratification*. Accessed 10 March 2018, available at:

https://treaties.un.org/Pages/ViewDetailsIII.aspx?src=TREATY&mtdsg_no=XXIII-1&chapter=23&Temp=mtdsg3&clang=en

Dictionaries and encyclopaedias

Ferguson, James, Lawless, Robert & others, 2018, “Haiti”. *Britannica*. Accessed 8 April 2018, available at: <https://www.britannica.com/place/Haiti/Military-regimes-and-the-Duvaliers#ref1073446>

English Oxford *Living Dictionaries*, n.d.-a, *Child*. Accessed 4 April 2018, available at: <https://en.oxforddictionaries.com/definition/child>

English Oxford *Living Dictionaries*, n.d.-b, *Prevention*. Accessed 5 May 2018, available at: <https://en.oxforddictionaries.com/definition/prevention>

Merriam-Webster, n.d.-a, *Disaster*. Accessed 2 April 2018 , available at: <https://www.merriam-webster.com/dictionary/disaster>

Merriam-Webster, n.d.-b, *Sociology*. Accessed 8 April 2018, available at: <https://www.merriam-webster.com/dictionary/sociology>

Student essays

Willis, Ben, 5 July 2014, *The Advantages and Limitations of Single Case Study Analysis*. Accessed 6 April 2018, available at: <https://www.e-ir.info/2014/07/05/the-advantages-and-limitations-of-single-case-study-analysis/>

Documentaries

Russell, Carmen, Liu, Dane, 2007, *Restaveks: Child Slaves of Haiti*, Pulitzer Center. Accessed 18 April 2018, available at: <http://pulitzercenter.org/projects/caribbean/restaveks-child-slaves-haiti>

Other webpages

LawTeacher, November 2013, *The Sociology of Law – What is it?* Accessed 3 March 2018, available at: <https://www.lawteacher.net/free-law-essays/english-legal-system/sociology-of-law.php>

“Will”, 25 March 2018, *IRAC for law school essays and exams*. Accessed 2 April 2018, available at: <http://youveenteredlawland.com/irac-for-law-school-essays-and-exams/>

OHCHR, n.d.-a, *What are Human Rights?* Accessed 4 April 2018, available at: <http://www.ohchr.org/EN/Issues/Pages/WhatareHumanRights.aspx>